

**3RD REPORT OF THE**  
**2017 GOVERNANCE WORKING GROUP**

Meeting held on July 19, 2017, commencing at 1:30 PM, in Committee Room #4, Second Floor, London City Hall.

**PRESENT:** Councillors V. Ridley (Chair) and Councillors J. Helmer, J. Morgan and P. Squire, and L. Rowe (Acting Secretary).

**ABSENT:** Mayor M. Brown.

**ALSO PRESENT:** Councillors M. Cassidy and M. van Holst; D. Burns, B. Card, K. Graham, M. Hayward, K. Pawelec and G. Zhang.

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**I. CALL TO ORDER**

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

**II. CONSENT ITEMS**

2. 2nd Report of the Governance Working Group

That the 2nd Report of the Governance Working Group, from its meeting held on May 25, 2017, BE RECEIVED.

**III. ITEMS FOR DISCUSSION**

3. Council Policy Manual Review of Chapters 5, 9, 10, 11, 12, 13 and 14

That the following actions be taken with respect to the Council Policy Manual Review:

- a) the attached revised proposed by-law (Appendix C) BE INTRODUCED at the Municipal Council Meeting to be held on August 22, 2017 to revoke and repeal the following Council policies related to: Short Listing Agenda Items Requiring Staff Reports, Administrative Planning Advisory Group Meetings – Closed to Public, Notification of Claims, Personal Enquiries of Elected Officials, Process for Seeking and Handling Citizen Applications for Appointments to Various Committees, Boards and Commissions, as representatives of the City of London, Appointment of Citizens and Council Members to Advisory Committees, Reporting of Imperial Measurements, Requests for Preparation of By-laws, Elected Officials to Attend Provincial Meetings when London Private Bills Being Addressed, Allocation of Controllers' Offices, Processing of Confidential Communications, Committee Conduct Policy for Members of Advisory Committees, Special Committees or Task Forces, Snow Removal from Private Property, Fire Hydrants on Private Property, Fire Route Designations, Rescue Unit Outside City Limits, Erosion Problems, Retaining Flood Plain and River Bank Lands, Municipal Standards for Condominium Developments, Demolition Control By-law and Rental Housing Protection Act, Heritage Properties, Housing Partnership Policy, Refunding of Lottery Licence Fees, Revoking of Licences by Clerk – N.S.F. Cheques, Merchandising on Sidewalks and in Shopping Malls, Sale of Lottery Tickets, Approval and Issuance of Business Licences, Lottery Licences Issued by the Province, Taxi Fare Adjustments, Lodging Houses, Taxicab Licences to Population Ratio, Sidewalk Café, Review of Taxicab/Limousine Regulations, Refusing, Suspending or Revoking Business Licenses, Exemption from Cat identification Fees for Cats Residing on Agricultural Lands, and Door-to-Door Selling for Profit by Children;
- b) the attached revised proposed by-laws (Appendix D) BE INTRODUCED at the Municipal Council Meeting to be held on August 22, 2017 to revoke, repeal and replace the following Council policies related to: Appointment of Deputy Mayor, Advising Public of Existing Policies, Resolutions of Other Municipalities, Discussion on Elected Officials' Salaries to be in Public, Council Appointee to External Board or Commission – Membership Paid by City, General Policy for Advisory Committees, Delegations by Union Executives to Standing Committees

and Board of Control, Anonymous Communications, Etc., Establishment of Task Forces and Working Groups, City Representations at “Out of Town” Functions, Payment of Tickets or Entrance Costs that Directly Benefit a Political Party, Civic Administration - Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees, Allocation of Councillors’ Offices, Use of Corporate Resources During a Municipal Election Year, Issuance of Computer Equipment to Council Members, Code of Conduct for Members of Council, Remuneration for Elected Officials and Appointed Citizen Members, Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions, Review of Ward Boundaries, Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman, Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy, Affordable Housing Reserve Fund Implementation Policy, Risk Management Policy, Legal Services and Accounts, Enforcement by City Personnel, Urgent, Last Minute or “Walk-in” Recommendations, and Dedication of Fire Stations;

- c) the Integrity Commissioner BE REQUESTED to consider if any of the provisions of the Council Policy pertaining to Personal Enquiries of Elected Officials should be incorporated into the Code of Conduct for Members of Council, particularly as it relates to a protocol for handling matters pertaining to personal interests of Council Members; it being noted that this Policy read as follows:

*“That a policy be established whereby all elected representatives be requested to direct all enquiries pertaining to their personal business or professional capacities to the Department Head, Deputy or designated staff person of the department concerned, and that the civic staff be requested to provide an answer, in writing if required and if time permits, as promptly as possible.”*

- d) at such time as the modernization phase of the Council policy review process occurs, consideration BE GIVEN to implementing a policy amendment that would require each Advisory Committee to provide a comprehensive annual update to the appropriate Standing Committee which incorporates information regarding the Advisory Committee’s annual budget and expenditures, attendance record of members, a proposed Work Plan for the coming year and a summary of accomplishments for the preceding year;
- e) the Civic Administration BE REQUESTED to report back, as part of the comprehensive review of Advisory Committees, with the necessary policy changes to provide that no Striking Committee member shall be eligible for appointment to anybody for which the Striking Committee is recommending appointments, during the term that individual is sitting on the Striking Committee;
- f) the Civic Administration BE REQUESTED to report back at the next meeting of the Governance Working Group with suggested changes to the Council policy pertaining to “Urgent Last Minute or ‘Walk-In’ Recommendations” that provide for the continued requirement of an executive summary, a brief recess to review the submission and the potential for deferring the matter to a future meeting to allow sufficient time to review the matter;
- g) the Civic Administration BE REQUESTED to report back to the Governance Working Group on whether or not current legislation makes the Council Policy pertaining to “Payment of Tickets or Entrance Costs that Directly Benefit a Political Party” redundant;
- h) the City Clerk BE REQUESTED to consider providing more clarity in the Council Policy pertaining to “Use of Corporate Resources During a Municipal Election Year”, specifically in part 1(iv)(a), in order to reflect that this does not apply to funds used to assist a Council Member for running for office as the City of London’s Council representative on a municipal organisation (e.g. Federation of Canadian Municipalities, Ontario Good Roads Association, etc.);
- i) the City Clerk BE REQUESTED to ensure that the forthcoming update of the Council Policy regarding “Issuance of Computer Equipment to Council Members” is as flexible as possible; and

- j) the Civic Administration BE REQUESTED to liaise with the London Professional Fire Fighters Association to obtain their feedback with respect to the Council Policy pertaining to “Dedication of Fire Stations”.

4. Council Policy Manual Review: Tours onto 12th Floor Deck and Animals in City Hall

That, on the recommendation of the City Manager, the following actions be taken with respect to the Council policies entitled “Tours onto 12th Floor Deck” and “Animals in City Hall”:

- a) the attached proposed by-law (Appendix “A”) BE INTRODUCED at the Municipal Council Meeting to be held on August 22, 2017 to revoke and repeal the Council policies entitled “Tours onto 12th Floor Deck” and “Animals in City Hall; and,
- b) the Civic Administration BE REQUESTED to investigate the appropriateness of establishing an administrative procedure to address animals in City-owned and operated facilities.

5. Council Expense Policy

That the communication dated June 12, 2017, from Councillor M. van Holst, and the Municipal Council resolution from its meeting held on June 26, 2017, both having to do with the Council Expense Policy, BE RECEIVED.

6. Ranked Ballot Voting Process for Citizen Appointments to Various Committees, Boards and Commissions

That consideration of the Municipal Council resolution from its meeting held on June 13, 2017, with respect to a ranked ballot voting process for citizen appointments to various Committees, Boards and Commissions, BE DEFERRED to the next meeting of the Governance Working Group as the first order of business.

**IV. DEFERRED MATTERS/ADDITIONAL BUSINESS**

7. Deferred Items List

That the Governance Working Group Deferred Matters List, as at June 30, 2017, BE RECEIVED for information.

**V. NEXT MEETING DATE**

The next meeting will be held on Monday, August 21, 2017 at 1:30 PM.

**VI. ADJOURNMENT**

The meeting adjourned at 3:33 PM.

## Appendix 'C' (Policies being repealed)

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policies related to Short Listing Agenda Items Requiring Staff Reports, Administrative Planning Advisory Group Meetings – Closed to Public, Notification of Claims, Personal Enquiries of Elected Officials, Process for Seeking and Handling Citizen Applications for Appointments to Various Committees, Boards and Commissions, as representatives of the City of London, Appointment of Citizens and Council Members to Advisory Committees, Reporting of Imperial Measurements, Requests for Preparation of By-laws, Elected Officials to Attend Provincial Meetings when London Private Bills Being Addressed, Allocation of Controllers' Offices, Processing of Confidential Communications, Committee Conduct Policy for Members of Advisory Committees, Special Committees or Task Forces, Snow Removal from Private Property, Fire Hydrants on Private Property, Fire Route Designations, Rescue Unit Outside City Limits, Erosion Problems, Retaining Flood Plain and River Bank Lands, Municipal Standards for Condominium Developments, Demolition Control By-law and Rental Housing Protection Act, Heritage Properties, Housing Partnership Policy, Refunding of Lottery Licence Fees, Revoking of Licences by Clerk – N.S.F. Cheques, Merchandising on Sidewalks and in Shopping Malls, Sale of Lottery Tickets, Approval and Issuance of Business Licences, Lottery Licences Issued by the Province, Taxi Fare Adjustments, Lodging Houses, Taxicab Licences to Population Ratio, Sidewalk Café, Review of Taxicab/Limousine Regulations, Refusing, Suspending or Revoking Business Licenses, Exemption from Cat identification Fees for Cats Residing on Agricultural Lands, and Door-to-Door Selling for Profit by Children.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policies pertaining to Short Listing Agenda Items Requiring Staff Reports, Administrative Planning Advisory Group Meetings – Closed to Public, Notification of Claims, Personal Enquiries of Elected Officials, Process for Seeking and Handling Citizen Applications for Appointments to Various Committees, Boards and Commissions, as representatives of the City of London, Appointment of Citizens and Council Members to Advisory Committees, Reporting of Imperial Measurements, Requests for Preparation of By-

laws, Elected Officials to Attend Provincial Meetings when London Private Bills Being Addressed, Allocation of Controllers' Offices, Processing of Confidential Communications, Committee Conduct Policy for Members of Advisory Committees, Special Committees or Task Forces, Snow Removal from Private Property, Fire Hydrants on Private Property, Fire Route Designations, Rescue Unit Outside City Limits, Erosion Problems, Retaining Flood Plain and River Bank Lands, Municipal Standards for Condominium Developments, Demolition Control By-law and Rental Housing Protection Act, Heritage Properties, Housing Partnership Policy, Refunding of Lottery Licence Fees, Revoking of Licences by Clerk – N.S.F. Cheques, Merchandising on Sidewalks and in Shopping Malls, Sale of Lottery Tickets, Approval and Issuance of Business Licences, Lottery Licences Issued by the Province, Taxi Fare Adjustments, Lodging Houses, Taxicab Licences to Population Ratio, Sidewalk Café, Review of Taxicab/Limousine Regulations, Refusing, Suspending or Revoking Business Licenses, Exemption from Cat identification Fees for Cats Residing on Agricultural Lands, and Door-to-Door Selling for Profit by Children;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policies of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Short Listing Agenda Items Requiring Staff Reports, Administrative Planning Advisory Group Meetings – Closed to Public, Notification of Claims, Personal Enquiries of Elected Officials, Process for Seeking and Handling Citizen Applications for Appointments to Various Committees, Boards and Commissions, as representatives of the City of London, Appointment of Citizens and Council Members to Advisory Committees, Reporting of Imperial Measurements, Requests for Preparation of By-laws, Elected Officials to Attend Provincial Meetings when London Private Bills Being Addressed, Allocation of Controllers' Offices, Processing of Confidential Communications, Committee Conduct Policy for Members of Advisory Committees, Special Committees or Task Forces, Snow Removal from Private Property, Fire Hydrants on Private Property, Fire Route Designations, Rescue Unit Outside City Limits, Erosion Problems, Retaining Flood Plain and River Bank Lands, Municipal Standards for Condominium Developments, Demolition Control By-law and Rental Housing Protection Act, Heritage Properties, Housing Partnership Policy, Refunding of Lottery Licence Fees, Revoking of Licences by Clerk – N.S.F. Cheques, Merchandising on Sidewalks and in Shopping Malls, Sale of Lottery Tickets, Approval and Issuance of Business Licences, Lottery Licences Issued by the Province, Taxi Fare Adjustments, Lodging Houses, Taxicab Licences to Population Ratio, Sidewalk Café, Review of Taxicab/Limousine Regulations, Refusing, Suspending or Revoking Business Licenses, Exemption from Cat identification Fees for Cats Residing on Agricultural Lands, and Door-to-Door Selling for Profit by Children are hereby revoked.

2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts Council policies pertaining to Short Listing Agenda Items Requiring Staff Reports, Administrative Planning Advisory Group Meetings – Closed to Public, Notification of Claims, Personal Enquiries of Elected Officials, Process for Seeking and Handling Citizen Applications for Appointments to Various Committees, Boards and Commissions, as representatives of the City of London, Appointment of Citizens and Council Members to Advisory Committees, Reporting of Imperial Measurements, Requests for Preparation of By-laws, Elected Officials to Attend Provincial Meetings when London Private Bills Being Addressed, Allocation of Controllers' Offices, Processing of Confidential Communications, Committee Conduct Policy for Members of Advisory Committees, Special Committees or Task Forces, Snow Removal from Private Property, Fire Hydrants on Private Property, Fire Route Designations, Rescue Unit Outside City Limits, Erosion Problems, Retaining Flood Plain and River Bank Lands, Municipal Standards for Condominium Developments, Demolition Control By-law and Rental Housing Protection Act, Heritage Properties, Housing Partnership Policy, Refunding of Lottery Licence Fees, Revoking of Licences by Clerk – N.S.F. Cheques, Merchandising on Sidewalks and in Shopping Malls, Sale of Lottery Tickets, Approval and Issuance of Business Licences, Lottery Licences Issued by the Province, Taxi Fare Adjustments, Lodging Houses, Taxicab Licences to Population Ratio, Sidewalk Café, Review of Taxicab/Limousine Regulations, Refusing, Suspending or Revoking Business Licenses, Exemption from Cat identification Fees for Cats Residing on Agricultural Lands, and Door-to-Door Selling for Profit by Children are hereby repealed.

3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D': Policies Being Replaced

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Appointment of Deputy Mayor and replace it with a new Council policy entitled Appointment of Deputy Mayor.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Appointment of Deputy Mayor and replace it with a new Council policy entitled Appointment of Deputy Mayor;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Appointment of Deputy Mayor is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Appointment of Deputy Mayor is hereby repealed.
3. The policy entitled "Appointment of Deputy Mayor", attached hereto as Appendix "D(1)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(1)'

### Appointment of Deputy Mayor

A Member of Council shall be appointed to serve as Deputy Mayor to assist the Mayor in carrying out their powers and duties and/or act in the place of the head of council or other member of council designated to preside at meetings in the municipality's procedure by-law when the head of council or designated member is absent or refuses to act or the office is vacant. This shall include general business continuity in the absence of, or refusal to act by, the Mayor; attendance at meetings/events on behalf of the Mayor; participation/representation on civic committees, local boards, commissions or agencies and other related organizations and assistance with the operation and capital budget process through participation on the Audit Committee.

### General

- (a) All Ward Councillors shall be eligible to serve as Deputy Mayor.
- (b) The Deputy Mayor shall be selected by the Mayor, confirmed by a majority vote of the Municipal Council and appointed by by-law.
- (c) The Mayor shall be solely responsible for determining which of their powers and duties are to be allocated to the Deputy Mayor and may adjust that allocation from time to time at their discretion.
- (d) There shall be no limit to the number of terms a Member of Council can serve as Deputy Mayor.
- (e) In the event the head of Council's seat becomes vacant, as defined in section 259 of the *Municipal Act, 2001*, that vacancy shall be filled in accordance with section 263 of the *Municipal Act, 2001*, with the Deputy Mayor to act in the place of the head of council until such time as the vacant seat is otherwise filled.

### Selection of Deputy Mayor Process

- (a) The Mayor's initial selection for Deputy Mayor shall be determined and confirmed at the Inaugural Meeting of Municipal Council, and appointed by by-law.
- (b) The term of the Deputy Mayor shall last no longer than the Council term during which the Deputy Mayor was selected.
- (c) The Mayor may, at their discretion, change their selection for Deputy Mayor throughout the course of their term as Mayor, in order to allow the Mayor to effectively draw upon the varied skill sets of Council Members.
- (d) In the event the Mayor exercises their right under (c) above, any subsequent selection for Deputy Mayor shall be confirmed by Council, and appointed by by-law.



Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Advising Public of Existing Policies and replace it with a new Council policy entitled Placement of Public Submissions on Standing Committee Agendas.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Advising Public of Existing Policies and replace it with a new Council policy entitled Placement of Public Submissions on Standing Committee Agendas;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Advising Public of Existing Policies is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Advising Public of Existing Policies is hereby repealed.
3. The policy entitled "Placement of Public Submissions on Standing Committee Agendas", attached hereto as Appendix "D(2)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(2)'

### Placement of Public Submissions on Standing Committee Agendas

Prior to consideration for inclusion on a Standing Committee agenda, any public submission regarding operational matters shall first be directed to the appropriate service area for action and response. Public enquiries shall only be placed directly onto a Standing Committee agenda in those circumstances where:

- a) the submission relates to a matter under consideration by a Standing Committee; and/or
- b) there is explicit provision within any policy or procedure which permits the submission to be dealt with directly by a Standing Committee; and/or
- c) the subject matter of the submission is not resolvable at the administrative level, based upon the authority delegated by the Municipal Council or other applicable legislation, in which case the matter shall be directed to the appropriate standing committee or other appropriate governance body, for consideration, together with an accompanying staff report which clearly outlines the service area's position with respect to the matter.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Resolutions of Other Municipalities and replace it with a new Council policy entitled Inter-Municipal Endorsement of Council Resolutions.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Resolutions of Other Municipalities replace it with a new Council policy entitled Inter-Municipal Endorsement of Council Resolutions;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Resolutions of Other Municipalities is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Resolutions of Other Municipalities is hereby repealed.
3. The policy entitled "Inter-Municipal Endorsement of Council Resolutions", attached hereto as Appendix "D(4)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

#### Appendix 'D(4)'

##### Inter-Municipal Endorsement of Council Resolutions

- a) Resolutions initiated by London City Council shall not be circulated to other municipalities for endorsement but shall instead be directed to the appropriate Minister(s) of the Federal or Provincial Governments, with copies being sent to the local members of Parliament or the Legislative Assembly, as appropriate, and to the relevant municipal association, where appropriate; and
  
- b) In turn, resolutions received from other municipalities for endorsement will be acknowledged in each case by the City Clerk with the advice that the London City Council does not take action on resolutions received from other municipalities, but rather prefers to make its position on given subjects known through the appropriate municipal association or if it deems it necessary to do so, directly to the concerned Minister(s) of the Federal or Provincial Governments.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Discussion on Elected Officials' Salaries to be in Public and replace it with a new Council policy entitled Discussion on Elected Officials' Salaries to be in Public.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Discussion on Elected Officials' Salaries to be in Public and replace it with a new Council policy entitled Discussion on Elected Officials' Salaries to be in Public;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Discussion on Elected Officials' Salaries to be in Public is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Discussion on Elected Officials' Salaries to be in Public is hereby repealed.
3. The policy entitled "Discussion on Elected Officials' Salaries to be in Public", attached hereto as Appendix "D(5)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(5)'

Discussion on Elected Officials' Salaries to be in Public

Any meeting of City Council, or other body that City Council has charged with reviewing or making recommendations on the salaries and benefits of elected and appointed officials serving on the Council, its Committees or any other agencies, boards or commissions whose compensation is set by the Municipal Council, shall be held in public session.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Council Appointee to External Board or Commission – Membership Paid by City and replace it with a new Council policy entitled Council Appointee to External Board or Commission – Membership Paid by City.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Council Appointee to External Board or Commission – Membership Paid by City and replace it with a new Council policy entitled Council Appointee to External Board or Commission – Membership Paid by City;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Council Appointee to External Board or Commission – Membership Paid by City is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Council Appointee to External Board or Commission – Membership Paid by City is hereby repealed.
3. The policy entitled “Council Appointee to External Board or Commission – Membership Paid by City”, attached hereto as Appendix “D(6)”, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(6)'

Council Appointee to External Board or Commission – Membership Paid by City

That a policy be established such that any fee associated with the membership which is required to be maintained by the Municipal Council representative on an external board or commission, as compelled by the constitution or terms of reference for the said board or commission, be paid by the City of London rather than by the Council appointee personally.



Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to General Policy for Advisory Committees and replace it with a new Council policy entitled General Policy for Advisory Committees.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to General Policy for Advisory Committees and replace it with a new Council policy entitled General Policy for Advisory Committees;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to General Policy for Advisory Committees is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to General Policy for Advisory Committees is hereby repealed.
3. The policy entitled "General Policy for Advisory Committees", attached hereto as Appendix "D(7)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(7)'

### General Policy for Advisory Committees

#### 1. Role Of Advisory Committees

While it is the legislative mandate of the Municipal Council to make the final decision on all matters that affect the Municipality, the role of an advisory committee is to provide recommendations, advice and information to the Municipal Council on those specialized matters which relate to the purpose of the advisory committee, to facilitate public input to City Council on programs and ideas and to assist in enhancing the quality of life of the community, in keeping with the Municipal Council's Strategic Plan principles. Advisory committees shall not give direction to the Civic Administration or to any local board or commission, nor shall advisory committees request, without the approval of the Municipal Council, the preparation of any administrative reports, research or work assignments. This does not preclude advisory committees from directly asking the Civic Administration for information and data when, in the opinion of the Civic Administration, such requests can be reasonably accommodated within existing workloads and priorities, and do not place an unreasonable demand on available resources.

#### 2. Ongoing Review of Advisory Committees

The terms of reference for each advisory committee shall be reviewed on an ongoing basis by its parent standing committee in order to ensure that the terms of reference, the need and the role of each advisory committee remains relevant and appropriate. The results of such reviews shall be reported to the Strategic Priorities and Policy Committee, together with any recommendations that a standing committee might have with respect to changes in the Council's advisory committee structure, or to the terms of reference of individual advisory committees.

#### 3. Resignations and Appointments

Advisory committee members wishing to resign their appointment mid-term shall submit their resignation in writing to the City Clerk. When the resignation is accepted by the City Clerk, the City Clerk shall also consider the need to replace the advisory committee member, having regard to the remaining composition of the advisory committee, the current workload of the advisory committee and the length of time remaining in the Council term. If the City Clerk deems it advisable to replace the advisory committee member, then vacancies for citizen-at-large advisory committee members shall be publicly advertised and residents of the Municipality shall be invited to apply to fill the vacancy. Vacancies for advisory committee members who represent a particular organization/agency shall be nominated by that organization/agency. All advisory committee appointments occurring mid-term shall be recommended by the committee mandated with that task by the Municipal Council, for consideration by the Municipal Council. Individuals who are unsuccessful in being appointed to an advisory committee at the beginning of a Council term shall be notified by the City Clerk of any vacancies that arise on the advisory committee to which they applied during that term, and be given an opportunity to re-apply for the vacancy.

The City Clerk shall, in the month of September immediately preceding a new Council term, invite applications for a Striking Committee being established by the Municipal Council to nominate appointments to advisory committees at the beginning of each new Council term.

The Striking Committee shall be comprised of the following voting members and will be provided secretariat support by a Committee Secretary designated by the City Clerk:

- 1 Past Member of the Diversity, Inclusion and Anti-Oppression Advisory Committee (known formerly as the London Diversity and Race Relations Advisory Committee)
- 1 Representative of Pillar Non-Profit Network
- 1 Representative of the Urban League of London

- 1 Representative of the London and District Labour Council
- 1 Representative of the London Chamber of Commerce
- 1 Former Member of London Municipal Council
- 2 Citizens-at-Large selected by the outgoing Municipal Council

The Strategic Priorities and Policy Committee shall meet in advance of the last Council meeting of a Council term to review the applications for Striking Committee and nominate appointees for the Municipal Council's consideration by no later than the last regular Council meeting of the Council term.

Vacancies for citizen-at-large advisory committee members shall be publicly advertised. All advisory committee appointments to be made at the commencement of a Council term shall be recommended by the Striking Committee for consideration by the Strategic Priorities and Policy Committee and recommendation to the Municipal Council. The Striking Committee may, at its discretion, liaise with the outgoing advisory committee chairs with respect to the qualifications of any returning applicants. The City Clerk shall advise the Striking Committee of any considerations with respect to the attendance history of applicants, and any other relevant information that may assist the Striking Committee in its review of the applicants. All applications shall be sought and handled in keeping with the Council Policy established to set the guidelines for same and where a Provincial Statute prescribes the type of appointments to be made by the City to an advisory committee, the Statute shall be complied with.

#### 4. Eligibility for Appointment

Council Members and individuals from the Civic Administration shall not be appointed as voting members to advisory committees, nor shall any residents who are not of legal voting age in the Province of Ontario. Advisory committee members who represent a particular organization or agency shall be nominated by the organization or agency of which they are a member.

#### 5. Term of Appointment

Appointments to advisory committees shall be for a four-year term, commencing March 1 of the first year of a Council term and ending on February 28 or, in the case of a leap year, February 29 of the first year of the following Council term.

#### 6. Orientation Sessions

Following the advisory committee appointment process at the beginning of each Council term, the City Clerk's Office shall conduct an orientation session for new advisory committee members and shall provide training on parliamentary procedure for the advisory committee. The City Clerk's Office shall also conduct orientation sessions for new replacement members during the term. An orientation manual will be provided to each member of the advisory committee.

#### 7. Maximum Length of Service

Advisory committee members shall serve on the same advisory committee no longer than two consecutive full terms plus, if applicable, one preceding partial term in those cases where advisory committee members are initially appointed mid-term to fill a vacancy.

#### 8. Remuneration

Advisory committee members shall serve without remuneration.

#### 9. Bus Tickets and Parking at City Hall

Advisory committee members shall be provided with either free parking in the Civic Square Parking Garage or with two free L.T.C. bus tickets when attending advisory committee meetings or when conducting advisory committee-related work at City Hall. In the event of a public transit stoppage, appointed members of City of London advisory committees who face financial barriers in securing alternative transportation

when attending advisory committee meetings, or when conducting advisory committee-related work at City Hall, may be eligible for full reimbursement of those alternative transportation costs. Reimbursement of alternative transportation costs is subject to the submission of detailed receipts to the City Clerk, including supporting documentation providing information as to origin, destination, date, time, method and purpose of any travel for which they are seeking reimbursement. The City Clerk shall review such requests for reimbursement and may grant full or partial reimbursement based upon the information submitted and subject to budget availability.

#### 10. Staff Support

Advisory committee meetings shall be attended by staff representatives of the appropriate civic departments to provide resource support and general liaison. However, in order to ensure optimum use of staff resources, particular staff shall not be required to attend an advisory committee meeting which does not have matters falling within that staff's purview on the agenda. The affected Managing Director shall determine the representative from their service area who shall attend particular advisory committee meetings. Staff representatives shall not vote at advisory committee meetings. The day-to-day support of advisory committees (such as the co-ordination of meeting schedules, the preparation of advisory committee agendas and reports and the communication of advisory committee actions) shall be provided by the City Clerk's Office.

#### 11. Expenditures by Advisory Committees

- a) Any annual budget allocation to an advisory committee shall be at the sole discretion of the Municipal Council and subject to the Municipal Council's annual budget deliberations, taking into consideration the requests of the advisory committees.
- b) All expenditures by an advisory committee must relate to matters directly within its mandate.
- c) Each advisory committee shall provide an annual report to the Municipal Council, through the appropriate standing committee, detailing all expenses incurred against its annual budget allocation and in a format established by the City Clerk.
- d) All advisory committee expense information is considered to be public information and shall be made available upon request to the City Clerk.
- e) Authorization for expenditures shall be as follows:
  - (i) the City Clerk, or their designate, shall have the authority to process all payments for standard items within the advisory committee's mandate, subject to budget availability, such as costs associated with Council-approved events (e.g. speaker's gifts, mailing costs, room rentals, refreshments, etc. for open houses and workshops), costs associated with workshops and conferences attended by members of an advisory committee which are relevant to that advisory committee's mandate, plaques issues by the London Advisory Committee on Heritage, interpreters for the special needs population and purchase of publications to assist in carrying out the advisory committee's mandate;
  - (ii) expenses associated with communication and/or promotional efforts being undertaken by an advisory committee, within its mandate, are to be approved by Communications for consistency in messaging and proper branding, via the Committee Secretary, prior to those expenses being incurred. If Communications approves the content of those items, then the City Clerk, or their designate, shall have the authority to process those expenses, subject to budget availability. Expenses associated with

communication and/or promotional efforts that are not to the satisfaction of Communications, shall require the approval of the Municipal Council, via the appropriate standing committee; and

- (iii) financial grants/contributions or awards to third party individuals, organizations or groups shall be directed to the appropriate service area to be addressed through the approval and reporting processes already established by the Municipal Council for those situations, unless that authority is explicitly provided for by the Municipal Council in an advisory committee's mandate. If that authority has been explicitly provided for in an advisory committee's mandate, then the City Clerk, or their designate, shall have the authority to process those particular expenditures.

#### 12. Election of Chair and Vice Chair

The presiding officer of all advisory committees shall be referred to as "Chair". Advisory committees shall elect, from among their voting members, a Chair and a Vice Chair at their first meeting each year. An advisory committee member shall not serve as a Chair or as a Vice Chair for more than two consecutive years unless approved, on an exception basis, by the Municipal Council.

#### 13. Sub-Committees/Working Groups

Advisory committees may form sub-committees or working groups as may be necessary. Meetings of working groups that have been formed by the advisory committee may meet at any time and at any location but shall meet on different dates than the advisory committee. Staff support, including a recording secretary from the City Clerk's Office, shall not be provided to such sub-committees or working groups unless otherwise approved by the appropriate Managing Director.

#### 14. Schedule and Location of Meetings

Advisory committees shall meet at a frequency determined by the Municipal Council as part of the advisory committee's mandate. However, if there is a time-sensitive matter that must be attended to in the opinion of the Chair and the Committee Secretary, a special meeting of the advisory committee may be called to deal with the time-sensitive matter. Advisory committee meetings shall be held at City Hall and shall be open to the public, except during closed sessions which may be held in accordance with the Council Procedure By-law. Advisory committee meetings may, with the approval of the Municipal Council, be held away from City Hall for a specific purpose.

#### 15. Parliamentary Procedures

The parliamentary rules outlined in the Council Procedure By-law shall be observed, as far as applicable, by each advisory committee; however, advisory committee members should recognize that many individuals feel more comfortable when exchanging views with their peers in an informal atmosphere where they have an opportunity to appreciate the abilities and knowledge of other advisory committee members.

#### 16. Attendance at Meetings

Advisory committee members, including members-at-large and agency representatives, shall be deemed to have resigned their appointments if they are absent from 25% of their regular advisory committee meetings, without the prior consent of the Municipal Council, unless they are absent for health reasons, in which case the continuation of their appointment shall be determined by the City Clerk, in consultation with the advisory committee Chair. While alternate members are encouraged to regularly attend meetings so as to remain current with the advisory committee's business, the 25% attendance rule shall only apply to absences from those meetings for which they have been requested to attend as a voting member, but have not done so.

The City Clerk shall be required to give written notice to any member who has exceeded the above absence threshold and shall invite the absentee to provide a written

explanation for the absences, on the understanding that such written explanation will be reviewed with the advisory committee Chair before a decision is made by the City Clerk.

Advisory committee members shall inform their committee's recording secretary of any anticipated absences from upcoming meetings and such advance notice shall be recorded in the advisory committee's report.

#### 17. Advisory Committee Agendas

Advisory committee agendas shall be prepared by the committee's recording secretary. Agendas shall be distributed electronically to advisory committee members at least five business days in advance of a meeting. Agendas shall be based on the written communications that relate to matters within the mandate of the advisory committee. Agenda material that is received after the agenda has been prepared and mailed (but before the meeting) shall be placed on the agenda for the next following meeting.

Advisory committees shall not consider a matter that is not listed on its agenda, unless such a matter is deemed, by the advisory committee, to be a matter of legitimate urgency. Such matters that are not considered urgent by the advisory committee shall be listed on the next agenda for the next following meeting.

#### 18. Advisory Committee Reports

Reports of advisory committee meetings shall be prepared by the committee's recording secretary in a format which is consistent with the reports of the Council's standing committees. Advisory committee reports shall be forwarded exclusively to the standing committee to which the advisory committee reports for its consideration/information save and except where the Municipal Council may, from time to time, determine it would like there to be a mutual exchange of advisory committee reports between specific advisory committees. Advisory committee reports shall also be listed on the respective advisory committee's next agenda for information purposes.

An advisory committee chair, or their designate, may be requested by the standing committee to which it reports to be a delegation at the standing committee's meeting in order to provide further information or clarification with respect to matters coming forward from the advisory committee. The above does not preclude an advisory committee chair, or their designate, from initiating their own request for delegation status at the standing committee to which the advisory committee reports, if the advisory committee wishes them to do so.

On the rare occasion where there is a matter that falls within the mandate of an advisory committee that does not fall within the mandate of the standing committee to which it reports, the advisory committee, through a motion adopted by a majority of its members, may recommend to its standing committee that the advisory committee's recommendation be referred to the standing committee having responsibility for the matter by virtue of its mandate. Similarly, if there is a public meeting being held by another standing committee, which is relevant to the mandate of a particular advisory committee, the advisory committee may, through a motion adopted by a majority of its members, direct the Chair or his/her designate to make representation, on behalf of the advisory committee, to the appropriate standing committee in order to provide the position of the advisory committee on matters falling within the advisory committee's jurisdiction. In these instances, the City Clerk will determine the appropriate standing committee for a matter, based on the jurisdictions outlined in the Council Procedure By-law.

The advisory committee chair, or their designate, shall accurately represent the views of the advisory committee as a whole, when presenting on an advisory committee's behalf.

#### 19. Reporting Time Frames for Matters Referred to Advisory Committees

1. Reporting time frames for matters referred to Council-appointed advisory committees where such matters involve development or business-related applications or initiatives being processed by the City of London for various types of

required approvals (hereinafter referred to as “a matter”) shall be as follows:

- (a) when a matter has been listed on the agenda of an advisory committee for which advice is being sought from the advisory committee, that advisory committee will provide its written advice to the requestor or requesting body by no later than 35 days after the matter has been first listed on the agenda of the advisory committee, unless the requestor or requesting body has identified a different deadline date in its referral request to the advisory committee for exceptional situations;
  - (b) when an advisory committee deems it necessary to refer a matter to one of its sub-committees or working groups for consideration, that particular sub-committee or working group will be expected to complete its review and to report back to its parent advisory committee in time for the advisory committee to meet the 35 day deadline or any different specified deadline date;
  - (c) when it appears to an advisory committee that it will be unable to meet the 35 day deadline or a different specified deadline date for providing advice on a matter referred to it:
2. the advisory committee may ask the requestor or the requesting body for an extension of the 35 day deadline or of the different specified deadline date, to a date to be suggested by the advisory committee; however, the decision of the requestor or of the requesting body with respect to agreeing to such extension will be final; and
3. the advisory committee, failing the acceptability of the process outlined in section (i) above, may give its Chair (or designate) the power to act with respect to providing a response on the matter by the 35 day deadline or by a different specified deadline date, to the requestor or the requesting body;
  - a) when requestors or requesting bodies are transmitting matters to advisory committees for their advice, the requestors and requesting bodies will be mindful of the established monthly meeting dates or such other regular meeting dates of the particular advisory committee with a view to maximizing the time available to an advisory committee to provide its written advice to a requestor or requesting body; and
  - b) when an advisory committee had not responded to the requestor or the requesting body by the 35 day deadline or by the different deadline date, the requestor or the requesting body may proceed with the processing of the matter in the absence of advice from the advisory committee.

## 20. Annual Report and Work Plan

Advisory Committees shall submit an annual report to its parent standing committee outlining the previous year’s accomplishments and a work plan for the upcoming year, for Municipal Council approval. The work plan shall set out proposed initiatives to be undertaken that are directly linked to the mandate of the Advisory Committees and the priorities as set out in the City of London’s Strategic Plan. The work plan shall include any work required under their mandate and applicable legislation.

## 21. Committee Conduct

This Committee Conduct Policy applies to all members of advisory committees, special committees or task forces (hereinafter referred to as “committee(s)”) who are not Municipal Council members or employees of The Corporation of the City of London.

Committees are established to provide informed advice and guidance and to facilitate public input to City Council on programs and ideas.

Council recognizes the value of the impartial and objective advice received from committee members and the challenges and inherent restrictions facing committee members in assessing and recommending various options in a conscientious and ethical manner.

The following Committee Conduct Policy is provided as a general standard for all committees and shall be applicable to all City of London committees.

### General Conduct

Advisory committees, when carrying out their committee responsibilities, are expected to:

- (a) abide by the provisions of the Ontario Human Rights Code, City of London policies and any other applicable related statutes and, in doing so, shall treat every person, including other committee members, corporate employees, individuals providing services on a contract for service, students on placements, and the public, with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination;
- (b) act in the best interest of The Corporation of the City of London;
- (c) seek to advance the common good of the community which they serve; and
- (d) truly, faithfully and impartially exercise their duties to the best of their knowledge and ability.

### Definitions

“Relative” means a person’s spouse, common-law spouse, same-sex partner, child, parents, siblings or a spouse of any of the foregoing.

“Child”, “parent”, “spouse” shall have the meanings ascribed to them in the Municipal Conflict of Interest Act.

### Specific Conduct

- (a) Advisory committee members shall, when conducting committee business, preparing written correspondence, interacting with Members of Council, the media, the public or staff, act in a manner that:
  - (i) fulfills the mandate of the committee;
  - (ii) respects due process and the authority of the Chair, Vice-Chair or Presiding Officer;
  - (iii) demonstrates respect for all fellow committee members, Council, the public and staff;
  - (iv) respects and gives fair consideration to diverse and opposing viewpoints;
  - (v) demonstrates due diligence in preparing for meetings, special occasions, or other committee related events;
  - (vi) demonstrates professionalism, transparency, accountability and timeliness in completing any tasks or projects undertaken by the committee;
  - (vii) conforms to relevant legislation, by-laws, policies and guidelines; and



- (viii) contributes in a meaningful manner, offering constructive comments to Council, staff and fellow committee members.
- (b) In the performance of his or her duties, a committee member shall not:
- (i) place him or herself in a position where a member is under obligation to any person who might benefit from special consideration or favour or who might seek preferential treatment in any way;
  - (ii) accord preferential treatment to relatives or to organizations in which the member, his or her child, parent or spouse, have an interest, financial or otherwise;
  - (iii) deal with an application to the City for a grant, award, contract, permit or other benefit involving the member or his or her immediate relative;
  - (iv) place his or herself in a position where the member could derive any direct benefit or interest from any matter about which he/she can influence decisions; and
  - (v) benefit from the use of information acquired during the course of his or her official duties which is not generally available to the public.
- (c) Where an advisory committee member believes he or she has a conflict of interest in a particular matter, he or she shall:
- (i) prior to any consideration of the matter, disclose his or her interest and the general nature thereof;
  - (ii) remove themselves from the table for the duration of time that the matter is being considered and during in-closed session, remove themselves from the room;
  - (iii) not take part in the discussion or the vote on any question or recommendation in respect of the matter; and
  - (iv) not attempt in any way whether before, during or after the meeting to influence the voting on any such question or recommendation.
- (d) Where the number of members who by reason of conflict are disqualified from participating in a meeting is such that the remaining members are not of sufficient number to constitute a quorum, then the remaining members shall be deemed to constitute a quorum provided such number is not less than two.
- (e) A request for an investigation of a complaint that a member of an advisory committee has contravened the Conduct Policy shall be:
- (i) made in writing, setting out reasonable and probable grounds for the allegation that a member has contravened the Conduct Policy and signed by an identifiable individual (which includes the authorized signing officer of an organization);
  - (ii) filed with the City Clerk, who, in the case of a complaint not involving an employee of the Corporation, shall investigate the matter and present the findings to Council in a closed meeting of Council or, in the case of a complaint involving an employee of the Corporation, the City Clerk shall forward the information subject to the complaint to the Corporation's Intake Administrator, who, in the event mediation or other informal attempts to resolve

the complaint as provided for in the applicable policy are not appropriate or prove ineffective and where Human Resources determines that further inquiry is warranted, will conduct an investigation in accordance with the applicable policy and the Corporation's Formal Investigation Process. Upon the conclusion of the investigation, any positive findings will be provided to the City Clerk, who shall make a determination on the application of this Committee Conduct Policy. The findings of the City Clerk shall be reported to City Council as per the normal procedure respecting such matters.

- (f) Council, may determine:
  - (i) that there has been no contravention of the Conduct Policy;
  - (ii) that a contravention occurred although the member took all reasonable measures to prevent it;
  - (iii) that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith; or
  - (iv) that the member has contravened the Conduct Policy and take any corrective actions, including removal from the advisory committee.

## 22. Recognition

The Municipal Council shall host an annual reception, subject to budget availability, to honour those members-at-large and those agency representatives who have served the Municipal Council, without remuneration by the Municipality, as a voting member of one or more of its advisory committees and whose attendance has been in keeping with set policy.

## 23. Other Acts, Regulations, By-laws and Policies

Advisory Committees shall, at all times, conduct themselves in accordance with the provisions of other applicable Acts and Regulations (e.g. *Municipal Freedom of Information and Protection of Privacy Act*, *Ontario Human Rights Code*, etc.), as well other by-laws or policies that the Municipal Council may establish from time to time (e.g. City of London Procurement of Goods and Services Policy, etc.).

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Delegations by Union Executives to Standing Committees and Board of Control and replace it with a new Council policy entitled Delegations by Union Executives to Standing Committees.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Delegations by Union Executives to Standing Committees and Board of Control and replace it with a new Council policy entitled Delegations by Union Executives to Standing Committees;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Delegations by Union Executives to Standing Committees and Board of Control is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Delegations by Union Executives to Standing Committees and Board of Control is hereby repealed.
3. The policy entitled "Delegations by Union Executives to Standing Committees", attached hereto as Appendix "D(8)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(8)'

Delegations by Union Executives to Standing Committees

That a policy be established in the interest of continuing to enhance the relationship between the City, its employees and the Unions representing the employees, whereby the Executive of each Union may appear as a delegation at Standing Committee meetings for the purpose of discussing and advising the Committees on matters of mutual concerns, subject to the following:

- (a) the Unions are requested to address any comments, if deemed necessary, related to alternate service delivery through the Committee established by Council to deal with such matters after they have utilized other processes already in place;
- (b) the Unions are requested to address any comments on annual budget matters through the budget public participation process;
- (c) on other matters, the request for delegation status should be directed initially to the Corporate Services Committee so that the Corporate Services Committee can consider the most appropriate venue for receiving the input of the bargaining units; and
- (d) the Unions must request delegate status in accordance with the normal procedures and policies of the Standing Committees;

and on the understanding that:

- (i) this policy is not to be construed in any way to circumvent the normal labour relations practices or contractual obligations of the parties;
- (ii) this policy shall only apply to those designated bargaining unit representatives for which a Standing Committee and the Municipal Council have direct collective agreement authority.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Anonymous Communications, Etc. and replace it with a new Council policy entitled Anonymous Communications, Etc.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Anonymous Communications, Etc and replace it with a new Council policy entitled Anonymous Communications, Etc;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Anonymous Communications, Etc is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Anonymous Communications, Etc is hereby repealed.
3. The policy entitled "Anonymous Communications, Etc", attached hereto as Appendix "D(9)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(9)'

Anonymous Communications, Etc.

That a policy be established whereby the Civic Administration is authorized to accept anonymous communications, facsimiles and telephone calls and to deliver them to their intended receiver(s), except when the intended receiver is the Municipal Council or a Committee of the Municipal Council; it being pointed out that:

(a) it is the prerogative of any individual, including Members of Council, to give specific instructions to their support staff about the processing and delivery of their incoming communications; and

(b) section 16.1 of the Council Procedure By-law states that every communication intended for presentation to the Municipal Council or to a standing committee shall be legibly written or printed and shall be signed by at least one person giving their address.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Establishment of Task Forces and Working Groups and replace it with a new Council policy entitled Establishment of Task Forces and Working Groups.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Establishment of Task Forces and Working Groups and replace it with a new Council policy entitled Establishment of Task Forces and Working Groups;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Establishment of Task Forces and Working Groups is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Establishment of Task Forces and Working Groups is hereby repealed.
3. The policy entitled "Establishment of Task Forces and Working Groups", attached hereto as Appendix "D(10)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(10)'

### Establishment of Task Forces and Working Groups

That a policy be established such that when individual Members of Council believe that it is desirable and necessary to appoint a Task Force or Working Group to address a particular issue or topic, they seek the Municipal Council's approval for the establishment of such bodies on the understanding that such initiatives will not be provided with support services by the Civic Administration unless such approval has been given; and on the further understanding that this policy is in no way intended to prevent individual Councillors from initiating the formation of Task Forces and Working Groups but is directed at ensuring that such undertakings have the official sanction of the Council and hence the ability to draw on necessary resources from the Civic Administration.



Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to City Representation at “Out of Town” Functions and replace it with a new Council policy entitled City Representation at “Out of Town” Functions.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to City Representation at “Out of Town” Functions and replace it with a new Council policy entitled City Representation at “Out of Town” Functions;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to City Representation at “Out of Town” Functions is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to City Representation at “Out of Town” Functions is hereby repealed.
3. The policy entitled “City Representation at “Out of Town” Functions”, attached hereto as Appendix “D(11)”, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(11)'

City Representation at "Out of Town" Functions

That a policy be established such that in those instances where the Mayor is unable to represent the City at an "out of town" function to which the Mayor has been invited and in the event that the Deputy Mayor and/or the Acting Mayor of the day are also unable to represent the Mayor on behalf of the City at such functions, the Mayor canvass all of the other Members of the Municipal Council before making a decision as to which Member will be selected by the Mayor to represent the City.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party and replace it with a new Council policy entitled Payment of Tickets or Entrance Costs that Directly Benefit a Political Party.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party and replace it with a new Council policy entitled Payment of Tickets or Entrance Costs that Directly Benefit a Political Party;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party is hereby repealed.
3. The policy entitled "Payment of Tickets or Entrance Costs that Directly Benefit a Political Party", attached hereto as Appendix "D(12)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(12)'

Payment of Tickets or Entrance Costs that Directly Benefit a Political Party

That a policy be established such that the payment of tickets or entrance costs by the Civic Administration and/or the Members of Council for any event shall not be made at the expense of the taxpayer if the proceeds of that event will directly financially benefit a political party.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Civic Administration – Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees and replace it with a new Council policy entitled Civic Administration – Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Civic Administration – Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees and replace it with a new Council policy entitled Civic Administration – Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Civic Administration – Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Civic Administration – Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees is hereby repealed.
3. The policy entitled “Civic Administration – Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees”, attached hereto as Appendix “D(13)”, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(13)'

Civic Administration – Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees

That a policy be established whereby members of the Civic Administration will not be appointed as voting members to Advisory Committees. Members of the Civic Administration shall not be appointed as voting members on Boards or Commissions, unless there is a statutory requirement for doing so, or unless the Municipal Council has directed such participation on an exception basis.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Allocation of Councillors' Offices and replace it with a new Council policy entitled Allocation of Councillors' Offices.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Allocation of Councillors' Offices and replace it with a new Council policy entitled Allocation of Councillors' Offices;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Allocation of Councillors' Offices is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Allocation of Councillors' Offices is hereby repealed.
3. The policy entitled "Allocation of Councillors' Offices", attached hereto as Appendix "D(14)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(14)'

### Allocation of Councillors' Offices

At the beginning of each Council term, offices will be allocated to Councillors based on the assignment of offices in ward order starting with the office closest to the entrance to the Councillors' Office area, with provision for incumbent re-elected Councillors to be allowed to stay in their current office.



Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Use of Corporate Resources During a Municipal Election Year and replace it with a new Council policy entitled Use of Corporate Resources During a Municipal Election Year.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Use of Corporate Resources During a Municipal Election Year and replace it with a new Council policy entitled Use of Corporate Resources During a Municipal Election Year;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Use of Corporate Resources During a Municipal Election Year is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Use of Corporate Resources During a Municipal Election Year is hereby repealed.
3. The policy entitled "Use of Corporate Resources During a Municipal Election Year", attached hereto as Appendix "D(15)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(15)'

### Use of Corporate Resources During a Municipal Election Year

#### Purpose:

To clarify that an acclaimed member of Council, a member of Council not seeking re-election, all members of Council seeking re-election and any other election candidate are required to follow the provisions of the *Municipal Elections Act, 1996*, as amended, thereby requiring that none of the aforementioned individuals shall:

- use the facilities, equipment, supplies, services, staff or other resources of the City (including Councillor newsletters and Councillor budgets) for any election campaign or election campaign-related activities.
- undertake campaign-related activities on City property during regular working hours.
- use the services of persons during hours in which those persons receive any compensation from the City.

#### Election Year:

For the purposes of this policy, an election year begins upon the first day on which nomination papers may be filed and ends on Election Day.

#### Application:

This policy is applicable to an acclaimed Member of Council, a Member of Council not seeking re-election, all Members of Council seeking re-election and any other election candidate.

#### Policy:

1. That, consistent with the City's Code of Conduct and Code of Ethics and in accordance with the provisions of the *Municipal Elections Act, 1996*, as amended:
  - (i) corporate resources, assets and funding may not be used for any election-related purposes, including, but not limited to:
    - City staff;
    - City property, facilities and equipment;
    - City funds;
    - any photos or videos produced by the City, including electronic images and videos;
    - City mail room and services;
    - City technical services systems including, but not limited to, all computer and telephone network systems (including laptops and Blackberries) and applications, including voice-mail, email, internet, and intranet; and
    - any mailing lists/data files produced by the Civic Administration.
  - (ii) City staff may not canvass or actively work in support of a municipal candidate during normal working hours unless they are on a leave of absence without pay, lieu time, overtime leave or vacation leave;
  - (iii) candidates, including Members of Council, may not use City-provided facilities for any election-related purposes. Campaign-related signs or any other elected-related material may not be displayed in City-provided facilities.
  - (iv) Members of Council may not:
    - (a) print or distribute any material paid for by City funds that illustrates that a Member of Council or any other individual is registered in any election, or where they will be running for office;
    - (b) profile (name or photograph), or make reference to, in any material paid by City funds, any individual who is registered as a candidate in any election;

- (c) print or distribute any material using City funds that makes reference to, identifies or contains the names or photographs of registered candidates for municipal elections, with the exception of minutes and reports of City Council and Committee meetings;
- (v) Members of Council are responsible for ensuring that the content of any communications material, such as newsletters, advertising, etc., that is hosted or distributed by the City, is not directly election-related.
- (vi) Members of Council may not print or distribute any election-related material using City funds.
- (vii) in any material printed or distributed by the City, candidates are not permitted to:
  - (a) illustrate that an individual (either a Member of Council or any other individual) is a candidate registered in any election;
  - (b) identify where they are running or where any other individual will be running for office; or
  - (c) profile or make reference to candidates in any election.
- (viii) web sites or domain names that are funded by the City may not include any election-related campaign material;
- (ix) the City's voice mail system may not be used to record election-related messages nor the computer network used (including the City's e-mail system) to distribute election-related correspondence;
- (x) the City's logo, crest, coat of arms, or other branding may not be printed or distributed on any election materials or included on any election campaign-related website, except in the case of a link to the City's web site to obtain information about the municipal election; and
- (xi) photographs produced for and owned by the City may not be used for any election purposes.

Nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Issuance of Computer Equipment to Council Members and replace it with a new Council policy entitled Issuance of Computer Equipment to Council Members.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Issuance of Computer Equipment to Council Members and replace it with a new Council policy entitled Issuance of Computer Equipment to Council Members;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Issuance of Computer Equipment to Council Members is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Issuance of Computer Equipment to Council Members is hereby repealed.
3. The policy entitled "Issuance of Computer Equipment to Council Members", attached hereto as Appendix "D(16)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(16)'

### Issuance of Computer Equipment to Council Members

The following policy applies to the issuance of computer equipment to Council Members, commencing with the 2014-2018 Council term:

#### Standard Equipment and Software Guidelines

Corporate standard computer equipment and software for Council Members shall be established by the City Clerk, in consultation with Information Technology Services.

The corporate standard for computer equipment and software for Council Members shall be reviewed by the City Clerk, in consultation with Information Technology Services, for appropriateness prior to the acquisition of computer equipment and software for Council Members for a new Council term.

Council Members shall be issued the following for the 2014-2018 Council term:

- (a) one corporate standard laptop, including one each of the associated corporate standard docking station, monitor, keyboard and mouse for the laptop;
- (b) one corporate standard tablet (corporate standard to be established by the City Clerk, in consultation with Information Technology Services, subsequent to SIRE testing);
- (c) one standard printer (HP Wireless);
- (d) an annual stipend (already included as part of the Council Members' annual expense allocation) for the self-supply of standard high-speed Internet service at the Council Member's "home office", noting that any upgrade to premium high-speed Internet service would be at the additional expense of the individual Council Member;
- (e) a basic modem and/or wireless router to connect to the Internet, from their "home office", in exceptional cases where it is demonstrated that a basic modem and/or wireless router to connect to the Internet is not supplied by the Internet service provider; and
- (f) corporate standard software, including Microsoft Office and any other software identified as essential to the business of the City of London by the City Clerk, in consultation with Information Technology Services (e.g. electronic agenda management software), but excluding specialized corporate software that would not be accessible by the general public (e.g. AMANDA, Kronos, etc.).

#### Supplementary Computer Equipment

Council Members may, at their discretion, utilize funds from their annual expense allocation to supplement the standard corporate issue of computer equipment, in keeping with applicable policy.

#### Computer Support

The Corporation of the City of London, through Information Technology Services, shall only provide support to corporately-issued equipment and not to any personal equipment or systems, any service or equipment provided by a third party (e.g. WiFi connection provided by internet service provider), or any supplementary equipment that may have been purchased by funds from a Council Member's annual expense allocation. Council Members shall be fully responsible for any costs associated with the acquisition, use and maintenance of supplementary computer equipment or software they have opted to purchase outside the standard equipment and software guidelines.

Information Technology Services shall assist with the initial set up of the corporately-issued wireless printer at a Council Member's home office. However, the Council Member shall be responsible for ensuring their home office WiFi connection is in working order so that the set up can be completed, and the Council Member will also need to be present and able to enter the appropriate password to complete the connection to the wireless printer.

### Computer Equipment for Privately-Contracted Assistance

Any additional computer equipment required for individuals privately contracted by a Council Member shall be provided by the Council Member and shall not be provided by The Corporation of the City of London via a corporate purchase or loan arrangement. For security and support reasons, no equipment other than the equipment issued to the Council Member by the Corporation for the current Council term shall be connected to the City of London's network and supported by corporate resources.

### Corporate Records and Corporately-Licensed Software

Any corporate records or corporately-licensed software maintained on the standard computer equipment issued to the Council Members shall be returned to and remain in the custody of The Corporation of the City of London at the conclusion of each Council term. In those instances where a Council Member is returning to office for a subsequent Council term, the Council Member may opt to have their corporate records transferred to their new computer equipment. In any event, all corporate records shall, at all times, be maintained in keeping with legislated requirements (e.g. *Municipal Freedom of Information and Protection of Privacy Act*, *Records Retention By-law*, etc.).

### Computer Usage – General

Computer usage for corporate purposes shall be in keeping with the City of London's Use of Technology Policy. No Council Member, their corporately-assigned staff, or their contracted assistance, shall use the technology made available to them in a manner which compromises the security of the City of London's systems or information.

### Acquisition and Disposition of Corporately-Issued Computer Equipment and Software for Council Members

- (a) The City Clerk shall establish a purchase plan for the supply and replacement of standard computer equipment and software for Council Members at the commencement of each Council term, in liaison with Information Technology Services.
- (b) The City Clerk shall include a budget item for the acquisition of the standard computer equipment and software noted in (a), above, for incoming Council Members.
- (c) The City Clerk, in liaison with Information Technology Services, shall establish the corporate standard for computer equipment and software for Council Members in sufficient time for that computer equipment and software to be acquired for the commencement of the new Council term.
- (d) Information Technology Services shall arrange for the on-site, and where applicable off site, installation of the standard corporate-issue computer equipment and software, as well as the related training and support, in liaison with the Council Members and/or their corporate support staff.
- (e) At the conclusion of a Council term, Council Members serving that Council term shall retain the standard computer equipment they were issued at the commencement of that Council term, to do with as they wish and/or dispose of on their own, in keeping with any applicable Canada Revenue Agency or other legislative requirements. The corporate standard Microsoft Office software shall remain with the computer equipment at the end of the Council term, but shall not be supported under any maintenance agreement and shall simply age to end of life with no upgrade options. All access to the corporate network shall be fully terminated and the hardware removed from the Corporation's domain, with no further technical support being provided by the Corporation's Information Technology Services.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Code of Conduct for Members of Council and replace it with a new Council policy entitled Code of Conduct for Members of Council.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Code of Conduct for Members of Council and replace it with a new Council policy entitled Code of Conduct for Members of Council;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Code of Conduct for Members of Council is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Code of Conduct for Members of Council is hereby repealed.
3. The policy entitled "Code of Conduct for Members of Council", attached hereto as Appendix "D(17)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(17)'

### Code of Conduct for Members of Council

#### **Application of the Code**

This Code of Conduct applies to the Mayor and all Members of Council.

#### **Definitions**

In this Code of Conduct:

“apparent conflict of interest” means if there is a reasonable perception, which a reasonably well-informed person could properly have, that the Member’s ability to exercise an official power or perform an official duty or function must have been affected by his or her private interest;

“child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;

“Code” means this Code of Conduct;

“Corporation” means The Corporation of the City of London;

“Council” means the Council of The Corporation of the City of London;

“family member” means a child, parent or a spouse;

“Member” means a Member of Council and includes the Mayor;

“parent” means a parent who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage;

#### **Rule 1 - Key Principles and Framework**

1.1 The Code is to be given a broad, liberal interpretation in accordance with the applicable legislation, the definitions set out herein and its general intent and purposes.

1.2 The Code operates together with, and as a supplement to, the following legislation that governs the conduct of Members:

- (i) *Municipal Act*;
- (ii) *Municipal Conflict of Interest Act*;
- (iii) *Municipal Elections Act*;
- (iv) *Municipal Freedom of Information and Protection of Privacy Act*; and
- (v) *Criminal Code of Canada*.

1.3 Members are governed by the *Municipal Conflict of Interest Act* and the provisions of that Act take precedence over any authority given to the Integrity Commissioner to receive or investigate complaints regarding alleged contraventions under that Act when a complaint involving the very same matter has been made under that Act. Where a proceeding has been commenced under the *Municipal Conflict of Interest Act*, the Integrity Commissioner shall suspend any investigation being conducted by him or her with respect to the same matter until the proceeding under the *Municipal Conflict of Interest Act* has been completed.

1.4 Members seeking clarification of any part of this Code should consult with the Integrity Commissioner.

1.5 Any written advice given by the Integrity Commissioner to a Member binds the Integrity Commissioner in any subsequent consideration of the conduct of the Member in the same matter as long as all the relevant facts known to the Member were disclosed to the Integrity Commissioner.

1.6 In carrying out his or her responsibilities regarding the Code, the Integrity Commissioner



is not limited to looking at the pecuniary interest of the Member and, for clarity, the Integrity Commissioner is specifically authorized to investigate issues of conflict in a broad and comprehensive manner.

## **Rule 2 - General Rules**

2.1 Members shall serve and be seen to serve their constituents in a conscientious and diligent manner.

2.2 Members should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and conflicts of interest, including apparent conflicts of interest.

2.3 Members shall not extend in the discharge of their official duties, preferential treatment to family members, organizations or groups in which they or their family members have a direct or indirect pecuniary interest.

2.4 Members are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.

2.5 Members shall seek to serve the public interest by upholding both the letter and the spirit of the laws of the Federal Parliament, the Ontario Legislature, and the by-laws and policies of the Corporation.

2.6 Members shall accurately and adequately communicate the decisions of the Council, even if they disagree with Council's decision, such that the respect for the decision-making processes of Council is fostered.

## **Rule 3 - Gifts and Benefits**

3.1 No inappropriate gifts are allowed that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.

3.2 No Member shall accept, solicit, offer or agree to accept a commission, fee, advance, cash, gift, gift certificate, bonus, reward or benefit that is connected directly or indirectly with the performance of his or her duties of office unless permitted by the exceptions listed in section 3.4 below. No Member shall accept the use of property or facilities, such as a vehicle, office or vacation property at less than fair market value or at no cost.

3.3 For the purpose of this Code a commission, fee, advance, cash, gift, gift certificate, bonus, reward or benefit provided with the Member's knowledge to a friend, family member or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties, is deemed to be a gift of that Member.

3.4 Members are not precluded from accepting:

- (a) contributions authorized by law;
- (b) political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- (c) food and beverages at banquets, receptions, ceremonies or similar events, if:
  - (i) attendance serves a legitimate business purpose;
  - (ii) the person extending the invitation or a representative of the organization is in attendance; and
  - (iii) the value is reasonable and the invitations infrequent;
- (d) services without compensation by persons volunteering their time;
- (e) food, lodging, transportation and entertainment provided by other levels of government, by other local governments, boards or commissions or by a foreign government within a foreign country;
- (f) a reimbursement of reasonable expenses incurred in the performance of duties or office;
- (g) a reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations;

- (h) token gifts such as souvenirs, mementos and commemorative gifts that are given in recognition of service on a committee, for speaking at an event or representing the Corporation at an event; and
- (i) gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

3.5 A Member shall return any gift or benefit which does not comply with this Code, along with an explanation why the gift or benefit cannot be accepted.

3.6 In the case of exceptions claimed under 3.4 (c), (e), (h) and (i), if the value of the gift or benefit exceeds \$300.00, or if the total value of gifts or benefits received from one source during the course of a calendar year exceeds \$300.00, the Members shall within 30 days of receipt of the gift or benefit or reaching the annual limit, complete a disclosure statement in a form prescribed by the Integrity Commissioner and file it with the Integrity Commissioner. A disclosure statement shall be a matter of public record.

3.7 On receiving a disclosure statement, the Integrity Commissioner shall examine it to ascertain whether the receipt of the gift or benefit might, in his or her opinion, create a conflict between a private interest and the public duty of the Member. In the event that the Integrity Commissioner makes that preliminary determination, he or she shall call upon the Member to justify receipt of the gift or benefit.

#### **Rule 4 - Confidential Information**

4.1 Members shall hold in strict confidence all information concerning matters dealt with at a meeting closed to the public under the *Municipal Act* or any other Act. For greater certainty, information shall include, without limitation, documents, records, advice received, presented, reviewed or discussed at a closed meeting and any discussion, direction and deliberation during the closed meeting. A Member shall not, either directly or indirectly, disclose, release, make public or in any way divulge any such information or any aspect of a closed meeting to anyone unless expressly authorized by Council or required by law.

4.2 A Member shall not disclose information in contravention of the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.

4.3 A Member shall not disclose information that is subject to solicitor-client privilege, unless the privilege has been expressly waived by Council.

4.4 A Member shall not misuse any confidential information such that the release thereof may cause detriment to the Corporation, Council, the public or others or benefit or detriment to themselves or others. For greater certainty, confidential information includes, without limitation, information that a Member has knowledge of by virtue of their position as a Member that is not in the public domain, including emails, and oral and written communications from other Members or third parties.

#### **Rule 5 - Incompatible Activity**

5.1 A Member shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of his or her official duties in the public interest.

5.2 Without limiting the generality of the foregoing, a Member shall not:

- (a) use the influence of his or her office for any purpose other than for the exercise of his or her official duties;
- (b) act as an agent before Council, any committee, board or commission of Council or the City's Hearings Officer;
- (c) solicit, demand or accept the services of any corporate employee, or individual providing services on a contract for service, for re-election purposes during hours in which the employee, or individual providing services under a contract for service, is in the paid employment of the Corporation;
- (d) use any information gained in the execution of office that is not available to the general public for any purpose other than for official duties;
- (e) place themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;

- (f) give preferential treatment to any person or organization in which a Member has a financial interest;
- (g) influence any administrative or Council decision or decision-making process involving or affecting any person or organization in which a Member has a financial interest; or
- (h) use the Corporation's property, materials, equipment, services, supplies, facilities, employees, agents or contractors for personal gain, personal purpose or for any private purpose.

5.3 A Member shall not allow the prospect of his or her future employment by a person or entity to detrimentally affect the performance of his or her duties.

5.4 A Member shall avoid waste, abuse and extravagance in the provision or use of public resources.

5.5. A Member shall expose fraud and corruption of which the Member is aware.

#### **Rule 6 - Conduct at Meetings and When Representing the Council or the Corporation**

6.1 A Member shall conduct himself or herself with appropriate decorum at all times.

6.2 A Member shall conduct himself or herself at meetings of Council, committees, agencies, local boards and commissions to which they are appointed by the Council, or by virtue of being an elected official, with decorum in accordance with the provisions of the applicable procedure by-law.

6.3 A Member shall make every effort to participate diligently in the activities of the Council and the committees, agencies, local boards and commissions to which they are appointed by the Council, or by virtue of being an elected official.

#### **Rule 7 - Conduct Respecting Staff**

7.1 A Member shall be respectful of the role of the Corporation's employees, individuals contracted by the Corporation on a purchase of service agreement and students on placements to provide advice based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council or a committee.

7.2 No Member shall maliciously or falsely injure the professional or ethical reputation, or the prospect or practice of an employee of the Corporation, an individual contracted by the Corporation on a purchase of service agreement or a student on placement, and all Members shall show respect for the professional capacities of such persons.

7.3 No Member shall compel an employee of the Corporation to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.

7.4 No Member shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Corporation, individual contracted by the Corporation on a purchase of service agreement or a student on placement with the intent of interfering in that employee's duties, including the duty to disclose improper activity.

#### **Rule 8 – Discreditable Conduct**

8.1 Members have a duty to treat members of the public, one another, individuals contracted by the Corporation on a purchase of service agreement, students on placement and employees of the Corporation appropriately and without abuse, bullying or intimidation and to ensure that their work environment is safe and free from discrimination and harassment. *The Ontario Human Rights Code* and the *Occupational Health and Safety Act* apply and, where applicable, the Corporation's Workplace Harassment/Discrimination Prevention Policy and the Workplace Violence Prevention Policy.

8.2 Upon receipt of a complaint with respect to alleged discreditable conduct of a Member that relates to the Corporation's Workplace Harassment/Discrimination Prevention Policy or Workplace Violence Prevention Policy, the Integrity Commissioner shall forward the

information subject to the complaint to Human Resources which, in the event mediation or other informal attempts to resolve the complaint as provided for in the applicable policy are not appropriate or prove ineffective and where Human Resources determines that further inquiry is warranted, will refer it to an external investigator to conduct an independent investigation in accordance with the applicable policy and the Corporation's Formal Investigation Process.

8.3 Upon receipt of the report of the independent investigator, the Integrity Commissioner shall make a determination on the application of this Code of Conduct and the merits of the investigation respecting the conduct of the Member subject to the complaint. The findings of the Integrity Commissioner shall be reported to City Council as per the normal procedure respecting such matters.

### **Rule 9 – Requirement to Adhere to Council Policies and Procedures**

9.1 Members shall adhere to such by-laws, policies and procedures adopted by Council that are applicable to them.

### **Rule 10 - Integrity Commissioner**

10.1 It is a violation of the Code to obstruct the Integrity Commissioner in the carrying out of his or her duties and responsibilities.

10.2 No Member shall threaten or undertake any active reprisal against a person initiating an inquiry or complaint under the Code or against a person who provides information to the Integrity Commissioner in any investigation.

10.3 It is a violation of the Code to destroy any documents or erase any electronic communications or refuse to respond to the Integrity Commissioner where a formal complaint has been lodged under the Code.

10.4 Upon receipt of a recommendation from the Integrity Commissioner, Council may, in circumstances where the Integrity Commissioner has determined there has been a violation of the Code of Conduct, impose either:

- (a) a reprimand; or
- (b) a suspension of the remuneration paid to the Member in respect of his or her services as a Member of Council or a local board, as the case may be, for a period of up to 90 days.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Remuneration for Elected Officials and Appointed Citizen Members and replace it with a new Council policy entitled Remuneration for Elected Officials and Appointed Citizen Members.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Remuneration for Elected Officials and Appointed Citizen Members and replace it with a new Council policy entitled Remuneration for Elected Officials and Appointed Citizen Members;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Remuneration for Elected Officials and Appointed Citizen Members is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Remuneration for Elected Officials and Appointed Citizen Members is hereby repealed.
3. The policy entitled "Remuneration for Elected Officials and Appointed Citizen Members", attached hereto as Appendix "D(18)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(18)'

### Remuneration for Elected Officials and Appointed Citizen Members

That a policy be established to adjust the salaries and honorariums of the elected officials and appointed citizen members of local boards and commissions where stipends are paid annually on January 1st by the percentage increase reflected in the Labour Index (monthly Index, Table 3), on the understanding that if such an index reflects a negative percentage, the annual adjustment to the salaries of elected officials and appointed citizen members will be 0%; and on the further understanding that if the Labour Index (monthly Index, Table 3) has increased by a percentage greater than the Consumer Price Index, Ontario, the annual percentage increase in the salaries and honorariums of the elected officials and appointed citizen members will be no greater than the increase in the Consumer Price Index, Ontario. It shall also be understood that in those years where non-union staff wages are frozen, no increase shall be applied.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions and replace it with a new Council policy entitled Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions and replace it with a new Council policy entitled Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions is hereby repealed.
3. The policy entitled "Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions", attached hereto as Appendix "D(19)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(19)'

### Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions

#### General

Council Members shall be appointed to Standing Committees of Council each *Council Year*. (i.e. for a one-year period commencing December 1 until November 30), with the exception of the Strategic Priorities and Policy Committee which shall serve for the *Council Term*.

Council Members shall make every effort to serve on different Standing Committees throughout the *Council Term*, with the exception that the Council Procedure By-law provides for the Mayor to be, ex officio, a member of all standing committees of the Council, except for the Strategic Priorities and Policy Committee where the Mayor shall serve as Chair; and

Council Members shall be appointed to the Audit Committee, civic boards and commissions each *Council Term*, to serve for the *Council Term*, unless the term of office is otherwise specified by legislation.

The Strategic Priorities and Policy Committee shall nominate the appointment of Council Members to Standing Committees of Council, Audit Committee and various civic boards and commissions to the Municipal Council.

#### Appointment of Council Members at the Commencement of a New Council Term

The City Clerk shall convene a meeting of the Strategic Priorities and Policy Committee, as soon as possible after the Inaugural Council meeting, with respect to the appointment of Council Members to the Standing Committees of Council, Audit Committee and various civic boards and commissions. In advance of the above-noted Strategic Priorities and Policy Committee meeting, the City Clerk shall provide incoming Council Members with a communication describing the mandate of each of the Standing Committees, Audit Committee, boards and commissions to which Council Members are to be appointed, and providing a document on which each Council Member is to indicate their committee, board and commission preferences. The latter document shall be returned to the City Clerk, by a specified date, in order to form part of the agenda for the Strategic Priorities and Policy Committee meeting. Appointments to the Standing Committees, Audit Committee and various civic boards and commissions shall be in keeping with the process approved by the Municipal Council.

#### Appointment of Council Members to Council Standing Committees after Appointments at the Commencement of a Council Term

The City Clerk shall convene a meeting of the Strategic Priorities and Policy Committee in sufficient time for a nomination to be brought forward to the Municipal Council for consideration prior to the commencement of a new Council Year, with respect to the appointment of Council Members to Standing Committees of Council for the upcoming Council Year. The City Clerk shall provide the Council Members with a document on which each Council Member is to indicate their Standing Committee preference. The latter document shall be returned to the City Clerk, by a specified date, in order to form part of the agenda for the Strategic Priorities and Policy Committee meeting. Appointments to the Standing Committee shall be in keeping with the process approved by the Municipal Council.

In the event a Council Member is no longer able to hold office on the Municipal Council and another individual is elected in their place during the course of a Council Year, the new Council Member shall assume the membership on the Standing Committee previously held by the Council Member which they are replacing.

#### Appointment of Council Members to the Audit Committee and Civic Boards and Commissions after Appointments at the Commencement of a Council Term

In the event a Council Member vacancy on the Audit Committee or a civic board or commission becomes available during a *Council Term*, after appointments have been made at the commencement of the *Council Term*, the City Clerk shall canvass the Council Members to



determine which Council Members would be interested in filling the vacancy. The names of the Council Members who have expressed an interest in filling the vacancy shall be placed on an agenda of the Strategic Priorities and Policy Committee, at the earliest opportunity, and the selection of the Council Member to fill the vacancy shall be made based upon the same process approved by the Municipal Council for the filling of vacancies at the beginning of a *Council Term*.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Review of Ward Boundaries and replace it with a new Council policy entitled Review of Ward Boundaries.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Review of Ward Boundaries and replace it with a new Council policy entitled Review of Ward Boundaries;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Review of Ward Boundaries is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Review of Ward Boundaries is hereby repealed.
3. The policy entitled "Review of Ward Boundaries", attached hereto as Appendix "D(20)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(20)'

### Review of Ward Boundaries

The City Clerk shall, once during each Council term, undertake a review of the municipal ward boundaries, in sufficient time to allow the implementation of any appropriate ward boundary changes for the next municipal election, in accordance with applicable legislative requirements. The review shall take into consideration balancing population distribution among the wards, both now and in future based on projections; respecting established neighbourhoods and communities within the municipality; geographical features defining natural boundaries within the municipality; and, infrastructure boundaries such as roads, bridges, rail lines and transit routes. Upon conclusion of the City Clerk's review, they shall recommend if and how the wards should be re-divided for the upcoming election, based upon their findings and in keeping with the public interest.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman and replace it with a new Council policy entitled Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman and replace it with a new Council policy entitled Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman is hereby repealed.
3. The policy entitled "Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman", attached hereto as Appendix "D(21)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix D(21)

### Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman

#### **Notification of Commencement of an Investigation by Ontario Ombudsman**

1. Upon written notification from the Ontario Ombudsman of the intent to commence an investigation related to a matter under the Ontario Ombudsman's jurisdiction, the City Clerk, or their designate, shall advise Members of Council of the investigation by email, with a copy to the City Manager.
2. After Members of Council have been advised of the Ontario Ombudsman's intent to conduct an investigation, the City Clerk, or their designate, shall notify the public that the City of London has received notice of an Ombudsman investigation and the general nature of the complaint, by posting the information on the City of London's website.
3. In accordance with section 18(2) of the Ombudsman Act R.S.O. 1990 c.O.6, no further details of the investigation shall be released to the public, in order to uphold the legislated privacy requirements.

#### **Receipt of Final Report**

1. Upon receipt of the Final Report of the Ontario Ombudsman regarding an investigation, the City Clerk, or their designate, shall circulate the Final Report to Members of Council by email, with a copy to the City Manager.
2. After Members of Council have been provided a copy of the Final Report, the City Clerk, or their designate, shall provide a copy of the Final Report to the public by posting the Final Report on the City of London's website.
3. The City Clerk, or their designate, will make the necessary arrangements to place the Final Report on the next available appropriate Standing Committee Agenda for formal consideration and receipt by the Municipal Council.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy and replace it with a new Council policy entitled Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy replace it with a new Council policy entitled Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy is hereby repealed.
3. The policy entitled "Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy", attached hereto as Appendix "D(22)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(22)'

Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy

All Municipal Council and Standing Committee In Closed Session meetings shall be audio recorded by the City Clerk, or assigned City Clerk's Office staff, in accordance with the following procedures, for the purpose of having an audio recording to assist with any closed meeting investigation:

1. The City Clerk, or assigned City Clerk's Office staff, shall commence the audio recording of all Municipal Council or Standing Committee In Closed Session meetings, with details regarding the date, time, location and type of meeting.
2. At the conclusion of each Municipal Council or Standing Committee In Closed Session meeting, the City Clerk, or assigned City Clerk's Office staff, shall end the audio recording of all Municipal Council or Standing Committee In Closed Session meetings with details regarding the time of the passing of a motion to resume in public session and shall immediately thereafter stop the recording device.
3. In those circumstances where Municipal Council or a Standing Committee convenes in closed session multiple times, throughout one meeting, a separate recording will be made each time the Municipal Council or a Standing Committee resumes in closed session, following steps 1 and 2, above.
4. All audio recordings will be transferred from the audio recording device to a secure location, to the satisfaction of the City Clerk. The recording device shall also be stored in a secure location to the satisfaction of the City Clerk.
5. All audio recordings of closed meetings will be retained for a period of one year from the date of the meetings. The written Municipal Council Minutes and Standing Committee Reports shall constitute the permanent official meeting record, in accordance with the *Municipal Act, 2001* and the City of London's Records Retention By-law.
6. The City Clerk shall be authorized to release an audio recording of a closed meeting only to:
  - a) the Closed Meeting Investigator, only in those instances where they are relevant to a closed meeting investigation and do not breach solicitor-client, or other, privilege;
  - b) the City Solicitor, or designate, for the purpose of providing solicitor-client advice with respect to the contents of a recording; and,
  - c) any additional party authorized by the Municipal Council.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Affordable Housing Reserve Fund Implementation Policy and replace it with a new Council policy entitled Affordable Housing Reserve Fund Implementation Policy.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Affordable Housing Reserve Fund Implementation Policy and replace it with a new Council policy entitled Affordable Housing Reserve Fund Implementation Policy;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Affordable Housing Reserve Fund Implementation Policy is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Affordable Housing Reserve Fund Implementation Policy is hereby repealed.
3. The policy entitled "Affordable Housing Reserve Fund Implementation Policy", attached hereto as Appendix "D(23)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017



## Appendix 'D(23)'

### Affordable Housing Reserve Fund Implementation Policy

#### **1. Purpose and Objectives**

The purpose of the Reserve Fund is to provide capital grants on a per unit basis to eligible not-for-profit organizations or partnerships of not-for-profit organizations and the private sector to assist in the development of:

- a) Affordable permanent housing targeted to low income individuals or families determined to be in deep core housing need; or
- b) Transitional housing that will facilitate the movement of individuals and families from situations of homelessness or risk of homelessness to longer-term, independent housing with the consent of the Community and Protective Services Committee and Municipal Council.

The intent of the funding is to create an environment in which the private sector and community providers will be willing and able to develop affordable housing that does not involve direct City operating subsidies, for people with a range of housing needs that are not currently being met in the market.

It is not intended that all monies be allocated to one form of housing. The City's goal is to provide affordable housing which meets the long term housing needs of those least able to find accommodation within the private sector. Until a review of funding allocation is undertaken at the end of 2002, fifty percent (50%) of available funds will be reserved for each of permanent and transitional housing.

It is not intended that the Reserve Fund will serve as a sole source of funding support for affordable housing projects. Reserve fund contributions are intended to supplement funding or in-kind supports provided by senior levels of government, sponsor groups, service providers, businesses, community organizations and private donors.

Provisions will be put in place to accommodate donations, from the private sector and individuals, to the Fund.

The objectives of the Reserve Fund are to:

- Increase the supply of affordable housing in the City of London for those households most in need.
- Promote partnerships in support of affordable housing development.
- Leverage the contribution of federal and provincial funds, not-for-profit and private sector financing for affordable housing development.
- Target municipal investment in affordable housing development to individuals and families in greatest need.
- Create replicable models for affordable rental projects.
- Develop projects which are self-sustaining and do not require a municipal contribution to operating costs beyond those available through social assistance programs.

#### **2. Eligibility Criteria**

Affordable housing development proposals that will be considered for Reserve Fund contributions include the construction of new affordable housing, the acquisition and conversion of non-residential buildings to affordable housing, the acquisition and rehabilitation of substandard residential buildings and the expansion of existing affordable housing stock to provide adequate, affordable housing. Projects may include a mix of affordable rental units and units that exceed affordable rent levels. However, the consideration of funding will be limited only to those units that will satisfy the affordability criteria.

The focus of the Reserve Fund contributions will be the creation of affordable **rental** units.

Reserve Fund contributions will also be available to assist the development of transitional housing to meet the needs of individuals or families who are moving from a situation of homelessness or near homelessness. Transitional housing addresses needs that extend beyond affordability to include various social and health-related support services that facilitate the transition to longer-term, independent housing.

- a) Due to the limited funds, proponents seeking Reserve Fund contributions must focus on those households in the greatest need and must satisfy the following criteria:
- b) Proponents must be not-for-profit organizations acting independently or in partnership with private sector developers or other not-for-profit organizations (or proponents must have a commitment to a not-for-profit designation which must be in place prior to final commitment date).
- c) Proponents must have a mandate that relates to the provision of housing.
- d) Proponents must be able to demonstrate a capacity to implement the project within the timeline and budget proposed.
- e) Proponents must demonstrate the ability to achieve the affordability criteria and agree to maintain rents for a period of not less than twenty-five years below the affordable rent limits specified in Section 6, as adjusted from year to year.
- f) Projects that involve the displacement of any existing tenants will not be considered unless the proponent includes a satisfactory relocation plan.
- g) Proponents must be able to demonstrate that the project to be created, including any proposed support services, will be sustainable.
- h) Projects must be located within the City of London.
- i) Proponents must identify a site or building that can be reasonably developed for its intended purpose. The City may contribute land, subject to Council approval.
- j) Proponents must prepare a tenant selection process that will form part of any agreements with the City and ensure that affordable rental units will be occupied by individuals or households whose household incomes are below the income limits specified in Section 6.

### **3. Evaluation Criteria**

Proposed projects will be evaluated for conformity to the purpose and objectives of the Reserve Fund and for compliance to the eligibility criteria listed in Section 2.

In addition, through the evaluation process, preference will be given to projects that include the following characteristics:

#### **Proponent Qualifications:**

- Experience and qualifications of the proponent to develop affordable housing/transitional housing.
- Experience and qualifications of the proponent to manage affordable housing/transitional housing.

#### **Financial Plan:**

- Level of partnership commitment for funding from other government and philanthropic sources.
- Credibility of cost projections for the development and the ability to finance as required.
- Cost effectiveness and per-unit funding requirement for the proposed project.

Management and Service Plan:

- Tenant placement plan in relation to targeted households (those households in greatest need).
- Extent to which the proposed project’s management plan, including staffing and operating cost projections, is developed.
- Extent to which the proposed project’s service plan represents an adequate and financially viable response to the target client group.
- Commitment that service providers and funders are making to this project (sustainability of program).

Development Plan:

- Ability to proceed quickly; extent to which a proposed project is ready to go from the perspective of site acquisition, land use approvals and the securing of any additional funding commitments.
- Extent to which the proposed development reflects good land-use planning and responds appropriately to the community context.
- Extent to which architectural design reflects the needs of the target client group.

**4. Eligible Costs**

Contributions from the Reserve Fund are to the total project. There will be no phase funding (ie. land acquisition only). Grants from the Reserve Fund may be applied to the following project capital costs:

Construction costs for the development of new affordable housing or the rehabilitation or conversion of existing buildings for affordable housing including acquisition of land and buildings.

Costs associated with the cost of affordable housing development including architectural, legal, engineering and project management fees; development charges and building permit fees; park fees; connect fees; and interest charges.

**5. Assistance Levels**

Contributions from the Affordable Housing Reserve Fund to selected projects may be approved in amounts of up to \$15,000 per unit plus a grant upon completion of the project to off-set any municipal fees or charges incurred in the development approval process.

**6. Affordability Criteria**

For transitional housing projects, it is expected that rents to be charged will not exceed the maximum shelter component provided under the Ontario Works Act or the Ontario Disability Support Program Act.

For affordable rental housing projects, the maximum rent levels for affordable rental units will be set annually at 70% or below of the CMHC average market rent for rental housing within the City of London. The CMHC core need income thresholds are adjusted to include utilities. Maximum affordable rents for 2002 will be set at:

<u>Unit Type</u>	<u>CMHC at Oct/01</u>	<u>Affordable Rent</u>
Bachelor	\$433	\$303
1 bedroom	\$547	\$383
2 bedroom	\$683	\$478
3 bedroom +	\$852	\$596

For affordable rental housing projects, the maximum household income of the tenant households shall not exceed the following levels:

<u>Percentile</u>	<u>Household Income Cut-off</u>	<u>Rent at 30%</u>
10 <sup>th</sup>	\$6,983	\$175
20 <sup>th</sup>	\$11,919	\$298
30 <sup>th</sup>	\$15,260	\$382
40 <sup>th</sup>	\$19,270	\$482
50 <sup>th</sup>	\$24,457	\$611

## **7. Project Selection Process**

The intent is to fund those projects that meet the eligibility criteria, with the greatest potential to provide affordable housing for delivery in the short term for the most needy households. A request for Proposals for contributions from the Affordable Housing Reserve Fund will be issued at approximately six-month intervals, provided funds are available.

The Director of Housing and the Affordable Housing Development Officer will conduct an information meeting with prospective proponents and housing interest groups to clarify City requirements and facilitate networking and partnerships among proponents and groups.

Proposals will be evaluated by a committee of City staff chaired by the Director of Housing and including:

- the Affordable Housing Development Officer
- the Commissioner of Planning and Development
- the City Treasurer or designate
- the Commissioner of Community Services or designate
- the Manager of Realty Services

The Evaluation Committee will recommend selected proposals to City Council through the Community and Protective Services Committee, for approval subject to the adoption of a funding agreement with the proponent.

The City will prepare the funding agreement and authorizing by-law for Council's approval.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Risk Management Policy and replace it with a new Council policy entitled Risk Management Policy.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Risk Management Policy and replace it with a new Council policy entitled Risk Management Policy;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Risk Management Policy is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Risk Management Policy is hereby repealed.
3. The policy entitled "Risk Management Policy", attached hereto as Appendix "D(24)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(24)'

### Risk Management Policy

The City of London adopted the principles of risk management for the Corporation on June 7, 1982 in order to protect the health, safety and welfare of the public, City Council, employees and its property, assets, reputation and other resources from the risks arising from all City operations. The administration of the City of London's risk management program is the responsibility of the Chief Administrative Officer's Department through the Risk Management Division. The function of it is to effectively, efficiently and economically administer risk management strategies for the Corporation.

The objective of the insurance and risk administration function within the City of London is to prevent personal or financial loss, and to keep to a prudent minimum the cost of managing risk, defined as the sum of risk control costs, losses assumed under self-insurance and retention programs, insurance premium costs and the cost of risk management administration.

Each employee and manager of the City of London is required to show the highest possible concern for the safety of fellow employees, and members of the public, and to do his/her utmost to prevent losses of the City of London's assets.

Insurance and risk management is the ultimate responsibility of City Council. The City provides a wide range of services to the community, all of which are recognized to present some level of risk. Council is committed to establishing an administrative process of regularly identifying and assessing these risks and supporting appropriate action to prevent or minimize the affect of these risks on its corporate objectives and the impact identified risk has on service delivery. Through this process, Council will better achieve its corporate objectives and enhance the value of services provided to the community.

By definition, 'risk management' is "the identification, analysis and economic control of those risks which can impact on Council's ability to deliver its priorities and objectives".

The objectives of Council's risk management strategy are to:

- Embed risk management into the culture and operations of Council and the administration
- Adopt a systematic approach to risk management as an integral element of service planning and performance management
- Anticipate and respond to changing social, environmental and legislative requirements
- Ensure departments have clear accountability for both ownership and cost of risk and the tools to effectively manage risk

These objectives will be achieved by:

- Establishing clear roles and responsibilities and reporting lines within the administration for risk management
- Incorporating risk management in reviews of on-going and proposed services to the community
- Incorporating risk management in decision-making, strategic planning and business planning processes
- Reinforcing the importance of effective risk management through training and providing opportunities through shared training
- Provide suitable insurance, self-insurance or other arrangements to manage the financial impact of unforeseen loss.
- Investigating, documenting and settling all claims against the City either directly, in co-ordination with other staff or with insurers, insurance adjusters or other appropriately skilled persons
- Maintaining adequate records and data to appropriately monitor and alter risk management techniques, including but not limited to, self-insured general insurance programs and claims, group health insurance plans, wage loss replacement insurance claims, evidence of insurance and Workplace Safety and Insurance Board certificates from third parties providing goods or services to the City, insurance premiums, loss prevention reviews, and funds recovered from third parties responsible for accidental loss incurred by the City.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Legal Services and Accounts and replace it with a new Council policy entitled Legal Services and Accounts.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Legal Services and Accounts and replace it with a new Council policy entitled Legal Services and Accounts;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Legal Services and Accounts is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Legal Services and Accounts is hereby repealed.
3. The policy entitled "Legal Services and Accounts", attached hereto as Appendix "D(25)" is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(25)'

### Legal Services and Accounts

1. In this policy,
  - (a) "Corporation" means the The Corporation of the City of London and includes the Council, its Standing Committees, and the departments of the civic administration.
  - (b) "local board" has the meaning ascribed to it by the *Municipal Affairs Act*, R.S.O. 1990, c. M.46.

### Functions and Duties

2. The functions and duties of the City Solicitor's Office shall be:
  - (a) to act as solicitor for the Corporation in matters of law connected with and within the authority or jurisdiction of the Corporation;
  - (b) to act as counsel for the Corporation in administrative, civil and criminal proceedings involving the Corporation;
  - (c) to institute such proceedings and take such steps in those proceedings as are considered reasonably necessary for the protection and advancement of the Corporation's interest;
  - (d) to advise the Corporation upon matters of law referred to it by the Corporation; and
  - (e) to discharge such other responsibilities as are at any time assigned to it.
3. Notwithstanding Section 2, the City Solicitor's Office shall not act as solicitor, counsel or legal adviser:
  - (a) on behalf of any person in connection with any dealings with the Corporation;
  - (b) on behalf of any local board without the consent of Council unless the interests of the local board and the Corporation are identical;
  - (c) in respect of any matter, the undertaking of which is contrary to law, the rules and regulations of The Law Society of Upper Canada.
4. Unless otherwise directed by the Council, the City Solicitor's Office shall not be required to advise any member of Council as to whether he or she or any other member of Council has or may have a conflict of interest pursuant to the *Municipal Conflict of Interest Act*, R.S.O. 1990, Chapter M.50.
5.
  - (a) Where it is in the best interests of the Corporation to do so, the City Solicitor's Office may retain out-of-house counsel or agents to act for or represent the Corporation in any matter or proceeding or to act as agent for the City Solicitor's Office provided provision has been made in the current budget for the payment of such counsel or agents.
  - (b) Where no official or employee of the Corporation is able or qualified to provide expert, technical or special knowledge with respect to any matter or proceeding involving the Corporation and such knowledge is considered reasonably necessary for the advancement or protection of the Corporation's interests, the City Solicitor's Office may engage one or more experts or persons having technical or special knowledge to assist in an advisory or other capacity or to adduce opinion evidence and their



services and disbursements may be paid out of the same provision in the current budget as for the payment of out-of-house counsel.

- (c) Before payment is made for services rendered and disbursements, the City Solicitor's Office shall ensure that each account submitted sets out in reasonable detail the services rendered and disbursements, and the City Solicitor's Office shall examine and approve each account as proper for payment having regard to the following:
  - (i) the time expended;
  - (ii) the complexity of the matters dealt with;
  - (iii) the degree of responsibility assumed;
  - (iv) the monetary value of the matter in issue;
  - (v) the importance of the matter to the Corporation;
  - (vi) the degree of skill and competence demonstrated; and
  - (vii) the results achieved.
- (d) Where the City Solicitor's Office calls any account or item therein into question and is dissatisfied with the explanation or revision of the account or item, the City Solicitor's Office shall apply to have the account assessed by an Assessment Officer.

#### Settlement of Claims

- 6. A claim or demand of whatever nature by or against the Corporation which does not exceed \$2,500.00 exclusive of costs may be settled by the City Solicitor with the advice of any department or division interested in the claim provided, in the case of a claim against the Corporation, provision has been made in the current budget for the payment of such settled claim.
- 7. A claim or demand of whatever nature by or against the Corporation which exceeds \$2,500.00 exclusive of costs shall be settled by the Council upon the recommendation of the City Solicitor with the advice of any department or division interested in the claim provided, in the case of a claim against the Corporation, provision has been made in the current budget for the payment of such settled claim.

#### Proceeding When Time Constrained

- 8. Where it is not practicable, prior to the expiration of the time limited by or under any Act for doing any act or taking any proceeding conducive to the interests of the Corporation, to obtain instructions of the Council to do or take such act or proceeding, the City Solicitor's Office where it is practicable to obtain such prior concurrence, may do or take such act or proceeding including the payment of any fee relating thereto, and shall report forthwith to the City Solicitor for the purpose of obtaining the instructions of the Council with respect to the act or proceeding.

#### Costs To and Against the City

- 9. The Corporation shall not, unless ordered to do so by the court or tribunal before which there is a proceeding to which the Corporation is a party, pay the fees or other costs of any party supporting the position of the Corporation.
- 10. Costs which are awarded to the Corporation or which are payable to the Corporation by agreement or otherwise shall be demanded in every instance and, if not fixed, shall be calculated in accordance with the prevailing practice and tariffs unless, upon the recommendation of the City Solicitor, the Council

authorizes:

- (a) the waiver of a demand for costs; or
  - (b) the acceptance of a specified amount for costs upon such terms, if any, as may be considered appropriate under the circumstances.
11. Costs which are awarded against the Corporation or which are payable by the Corporation by agreement or otherwise, if not fixed, shall be assessed by a Judge or an Assessment Officer unless:
- (a) the amount of the costs finally to be paid by the Corporation does not exceed \$1,000.00 in total; or
  - (b) upon the recommendation of the City Solicitor, the Council authorizes payment of a specified amount for costs upon such terms, if any, as may be considered appropriate under the circumstances.
12. Costs may be assessed before an Assessment Officer where warranted in the opinion of the City Solicitor's Office by the circumstances or the nature of the costs.

General

13. The City Solicitor may make recommendations to Council on any matter whether or not covered by this policy.
14. Where anything is directed or permitted to be done by this policy, any authority necessary to enable the doing of the thing is also given hereby, and, where the doing of anything requires the enactment of a by-law, the City Clerk may request Council directly to pass such by-law.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Enforcement of City Personnel and replace it with a new Council policy entitled Enforcement of City Personnel.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Enforcement of City Personnel and replace it with a new Council policy entitled Enforcement of City Personnel;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Enforcement of City Personnel is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Enforcement of City Personnel is hereby repealed.
3. The policy entitled "Enforcement of City Personnel", attached hereto as Appendix "D(26)" is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

## Appendix 'D(26)'

### Enforcement of City Personnel

- (a) That the following policy be established with respect to the method of enforcement of those statutes, regulations and municipal by-laws ("municipal laws") which City personnel are responsible to enforce:
- (i) enforcement of the Traffic and Parking By-law and building regulations continue to be carried out by the "general enforcement method" (enforcement over a predetermined beat or route or as part of another predetermined task);
  - (ii) enforcement of all other municipal laws continue to be carried out by the "responsive enforcement method" (enforcement in response to complaints received for the purpose of achieving compliance in each individual situation);
  - (iii) enforcement by the "selective enforcement method" (enforcement concentrated significantly on a particular problem in a particular locality, whether or not in a high profile manner, in order to achieve greater compliance by the public in general) be carried out only after assessing, among other things, the availability of City personnel and budgeted funds, the complexity of the contemplated enforcement, the time period during which enforcement has to be carried out, and the degree of compliance likely to be achieved; and
  - (iv) enforcement of properties containing vacant buildings, which due to their condition are causing demands for City services including, but not limited to emergency and municipal law enforcement services, City personnel be given the discretion, to proactively undertake inspections on properties containing vacant buildings, for purposes of nuisance control, public safety and quality of life issues, on at least a quarterly basis, to ensure compliance with municipal laws;
- (b) That with regard to providing the Corporation with municipal law enforcement services outside the normal work day of City enforcement personnel, the Civic Administration be given the discretion, having regard to the availability of trained City personnel and budgeted funds, to use any of the methods of standby, call out or overtime that are currently available under the City's Collective Agreements;
- (c) That the following policy be established respecting the time for corrective measures and the initiation of enforcement process:
- (i) where a contravention of a municipal law (other than a zoning by-law) is a first offence and can be dealt with by remedial action or abandonment (such as obtaining a license or discontinuing an unauthorized sidewalk sale), regardless of the source of the complaint, the responsible civic department will not issue an offence notice or lay a charge until the department has given the alleged offender appropriate notice of the contravention and has given the alleged offender a reasonable opportunity to bring the situation into conformity;
  - (ii) where a contravention of a municipal law (other than a zoning by-law) cannot be dealt with by remedial action or abandonment (such as an unlawful discharge into a sewer), the responsible department shall issue an offence notice or lay a charge forthwith for contravening the municipal law;
  - (iii) where a contravention of a zoning by-law is a first offence and appears to the responsible department to be inadvertent or unintentional, regardless of the source of the complaint, the department not lay a charge

until the department has given the alleged offender written notice of the contravention and has given the alleged offender a reasonable opportunity to bring the situation into conformity; and

- (iv) where a contravention of a zoning by-law appears to the responsible department to result from a conscious disregard of the zoning by-law, regardless of the duration of the contravention, the department lay a charge forthwith for contravening the by-law;
- (d) That offences under municipal laws (except zoning by-laws and the property standards by-law) be prosecuted by issuance of offence notices rather than continuing with the present practice of laying information and serving summonses to Court, it being noted that those offences, where the nature of the offence or the number of previous similar offences justifies, would still be prosecuted by the laying of an information and it being further noted that because of their complexity, zoning by-laws would continue to be prosecuted by the laying of an information and the serving of a summons;
- (e) That the City Solicitor's Office continue with the practice that, once a charge is laid, the charge be continued through to and including the conviction stage unless there is a technical reason for not doing so and any steps initiated by the offender after a charge is laid be considered in relation to penalty, not to the withdrawal of the charge, and that the withdrawal of a complaint to the affected department, after a charge has been laid, will have no relevance to the continuation of the prosecution of the charge;
- (f) That the repetition or continuation of a offence on which a first conviction has been obtained be dealt with by the laying of further charges and, on conviction, the seeking of increased fines, rather than relying exclusively on prohibition orders and proceedings for contempt of Court; and
- (g) That, subject to the terms of the POA Transfer Agreement, the City Solicitor's Office be authorized to continue, for the foreseeable future, with the previous position taken by the department with the local Crown Attorney's Office that the Department will not assume prosecution of charges laid by non-City personnel.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Urgent, Last Minute or “Walk-in” Recommendations and replace it with a new Council policy entitled Urgent, Last Minute or “Walk-in” Recommendations.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Urgent, Last Minute or “Walk-in” Recommendations and replace it with a new Council policy entitled Urgent, Last Minute or “Walk-in” Recommendations;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Urgent, Last Minute or “Walk-in” Recommendations is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Urgent, Last Minute or “Walk-in” Recommendations is hereby repealed.
3. The policy entitled “Urgent, Last Minute or “Walk-in” Recommendations”, attached hereto as Appendix “D(27)”, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017

Appendix 'D(27)'

Urgent, Last Minute or "Walk-in" Recommendations

Where urgent circumstances require the consideration by the Municipal Council of last minute or "walk-in" recommendations of the Civic Administration, or a Standing Committee, a written executive summary be provided for the Municipal Council and that provision be made, where deemed necessary by the Municipal Council, for a brief recess to permit the Members of Council to fully review the matter where it is not possible to defer consideration of the matter to a future meeting of the Municipal Council.

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Dedication of Fire Stations and replace it with a new Council policy entitled Dedication of Fire Stations.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Dedication of Fire Stations and replace it with a new Council policy entitled Dedication of Fire Stations;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Dedication of Fire Stations is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to Dedication of Fire Stations is hereby repealed.
3. The policy entitled "Dedication of Fire Stations", attached hereto as Appendix "D(28)", is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017



Appendix 'D(28)'

Dedication of Fire Stations

That a policy be adopted to provide for the dedication of fire stations in recognition of London firefighters who have lost their lives in the line of duty and that the fire stations to be dedicated in memory of these fallen firefighters include seven existing facilities (Station Nos. 1, 2, 4, 5, 7, 8 and 11) as well as any stations constructed in the future.

## Appendix 'A'

Bill No.  
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policies pertaining to Tours onto 12th Floor Deck and Animals in City Hall.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policies pertaining to Tours onto 12th Floor Deck and Animals in City Hall.

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policies of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Tours onto 12th Floor Deck and Animals in City Hall are hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts Council policies pertaining to Tours onto 12th Floor Deck and Animals in City Hall are hereby repealed.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 22, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 22, 2017  
Second Reading – August 22, 2017  
Third Reading – August 22, 2017