

11TH REPORT OF THE
GOVERNANCE WORKING GROUP

Meeting held on June 25, 2018, commencing at 1:30 PM, in Committee Room #4, Second Floor, London City Hall.

PRESENT: Councillors V. Ridley (Chair), Mayor M. Brown; and Councillors M. Cassidy, J. Helmer, J. Morgan and M. van Holst; and C. Saunders (Secretary).

ABSENT: Councillor P. Squire.

ALSO PRESENT: M. Hayward, A. Codispodi, B. Coxhead, R. Wilcox and L. Workman.

1. CALL TO ORDER

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. CONSENT ITEMS

2.1 9th Report of the Governance Working Group

That the 9th Report of the Governance Working Group, from its meeting held on May 28, 2018, BE RECEIVED.

2.2 10th Report of the Governance Working Group

That the 10th Report of the Governance Working Group, from its meeting held on June 11, 2018, BE RECEIVED.

3. ITEMS FOR DISCUSSION

3.1 Council Policy Manual Modernization

That, on the recommendation of the City Manager, the following actions be taken with respect to the Council Policy Manual Modernization:

a) the attached proposed by-laws (Appendices B2 to B4, B6 to B24 and B26 to B78) BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to amend the following Council Policies for reformatting into the new Council Policy template, review with the gender equity lens and content updates:

2. Diversity and Inclusion Policy for the City of London
3. Accessibility Policy
4. Promotion of Corporate Products to City Staff
6. Hiring of Employees Policy
7. Employee Service Recognition Program
8. Benefits for Survivors of Employees Killed on the Job
9. Appointments Requiring Council Approval and/or Consultation
10. Workplace Harassment and Discrimination Prevention Policy
11. Mayor – Contracted Staff
12. Fixed Term Employment Agreements
13. Collective Bargaining Activities
14. Bravery Award Policy
15. Queen Elizabeth Scholarships
16. Mayor's New Year's Honour List Policy
17. Annual Retirement Dinner, 25-Year Club Dinner and Other Civic Dinners Policy

18. Diversity, Race Relations and Inclusivity Award Policy
19. Corporate Plaques and Recognitions Policy
20. Outstanding London Ambassador Award Policy
21. Soliciting Funds in City Hall Policy
22. Naming/Re-naming or Dedicating of Municipal Property, Buildings and Park Elements
23. City of London Days at the Budweiser Gardens Policy
24. Use of Civic Square by Centennial Hall Events Policy
26. Placement of Public Submissions on Standing Committee Agendas
27. Inter-Municipal Endorsement of Council Resolutions
28. General Policy for Advisory Committees
29. Delegations by Union Executives to Standing Committees
30. Establishment of Task Forces and Working Groups
31. Allocation of Councillors' Offices
32. Policy for the Use of City of London Resources for Municipal Election Purposes
33. Issuance of Computer Equipment to Council Members
34. Code of Conduct for Members of Council
35. Remuneration for Elected Officials and Appointed Citizen Members
36. Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions
37. Review of Ward Boundaries
38. Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy
39. Legal Services and Accounts
40. Added Staff Recommendations and Committee Reports
41. Official City Flag
42. Landing of Helicopters
43. Use of Cenotaph
44. Flags at City Hall
45. Issuance of Proclamations
46. Public Notice Policy
47. Accountability and Transparency to the Public Policy
48. Delegation of Powers and Duties Policy
49. Illumination of City of London Buildings and Amenities
50. City of London Records Management Policy
51. Staff at Ward Meetings
52. Protocol for Unapproved Aboriginal Burial Sites
53. City of London Community Suite Policy
54. Council Members' Expense Account
55. Mayor's Expenses
56. Policy for the Establishment and Maintenance of Council Policies
57. Sale of Major Assets Policy
58. Asset Transfers To Municipal Services Corporations Policy
59. Conveyance of Sanitary Filled Land
60. Real Estate Service – MLS
61. Financing of Sales
62. Transactions Involving Elected Officials
63. Property for Capital Works Projects
64. Internal Review of Property Sales
65. City-Owned Residential Properties
66. Property Enquiries to Board of Education
67. Demolitions of Buildings on Flood Plain Lands
68. Rental of Lands for Billboards
69. Leasing and Licencing of City-Owned Land
70. Real Estate Services
71. Lands for Public Works Projects
72. Donation of Land and Buildings to the City
73. Sale and Other Disposition of Land Policy
74. Real Property Acquisition Policy
75. Tax Collection Policy

- 76. Treatment of Properties That Do Not Sell At Municipal Tax Sales
- 77. Minutes of Settlement for Assessment Appeals
- 78. Travel & Business Expenses

b) the attached proposed by-laws (Appendix C1 to C7) BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the following Council Policies:

1. "Use of Cafeteria as Staff Facility Policy" to be renamed as "Use of the City Hall Cafeteria Policy"
2. "Discussion on Elected Officials' Salaries to be in Public" to be renamed as "Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committees or a Local Agency, Board or Commission Policy"
3. "Council Appointee to External Board or Commission – Membership Paid by City" to be renamed as "Payment of Membership Fees of a Council Appointee to an External Board or Commission"
4. "Anonymous Communications, Etc." to be renamed as "Processing of Anonymous Communications Policy"
5. "City Representation at "Out of Town" Functions" to be renamed as "City Council Representation at "Out of Town" Functions Policy"
6. "Civic Administration - Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees" to be renamed as "Civic Administration Appointments to Boards, Commissions and Advisory Committees Policy"
7. "Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman" to be renamed as "Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman Policy";

c) the attached proposed by-law (Appendix B25) being "A by-law to amend By-law No. CPOL.-54 "Appointment of Deputy Mayor" BE REFERRED to a future meeting of the Governance Working Group (GWG) for further discussion; it being noted that the Deputy Mayor will be invited to attend that meeting of GWG to provide input with respect to his experience as Deputy Mayor; it being further noted that all Members of Council are to be advised that that this matter would be discussed, so that they may attending the meeting should they wish to do so;

d) the Civic Administration BE DIRECTED to undertake consultation with the First Nations to receive input with respect to Council Policy "Protocol for Unapproved Aboriginal Burial Sites" and report back at a future meeting of the Governance Working Group (GWG) with respect to any additional updates to the Policy which may be required as a result of the consultation;

e) the attached revised proposed by-law (Appendix B1) BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the Council Policy CPOL.-188-370 being "City of London Race Relations Policy" and replace it with a new Council Policy entitled "City of London Race Relations/Anti-Racism Policy"; and

f) the attached revised proposed by-law (Appendix B5) BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the Council Policy related to By-law No. CPOL.-147-399 being "Retirement Dinners for Department Heads" and replace it with a new Council Policy entitled "Retirement Dinners for the Service Areas Leads".

4. DEFERRED MATTER/ADDITIONAL BUSINESS

None.

5. ADJOURNMENT

The meeting adjourned at 2:20 PM.

Next Meeting: Monday, August 27, 2018 at 1:30 PM, in Committee Room #3.

APPENDIX B2

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-119-371 being "Diversity and Inclusion Policy for the City of London".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-119-371 being "Diversity and Inclusion Policy for the City of London" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-119-371 being "Diversity and Inclusion Policy for the City of London" is hereby amended by deleting Appendix 'C(37)' to CPOL.-119-371 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: Diversity and Inclusion Policy for the City of London

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-119-371)

Last Review Date: June 25, 2018

Service Area Lead: Specialist, Organizational Development (Diversity and Inclusion)

1. Policy Statement

The City of London and its citizens consider London as a diverse and inclusive community that honours, welcomes, and accepts all people; where people have the power to eliminate systemic oppressions. The citizens deeply value diversity and the personal, cultural, social, and economic benefits it brings to the community. As such, the London community enables all people to have equal rights, opportunities, and access for their benefit and well-being including, but not limited to, the domains of employment, education, health, accommodation, and leisure.

The City of London and its citizens also recognize the human and economic costs associated with discrimination on the basis of perceived individual or communal differences. As such, the London community does not condone any form of discrimination or harassment. We endorse and embrace both the Canadian Charter of Rights and Freedoms and Ontario's *Human Rights Code*, where the Code prohibits discriminatory practices because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, receipt of public assistance, or disability.

Continuing with the vision as directed by the citizens of London, The Corporation of the City of London (“Corporation”) commits to:

- Mandating equity and exemplifying the vision of London as a diverse and inclusive community
- Learning and honouring the unique histories and lived experiences of all people in our community
- Removing system barriers to accessibility and access as experienced by our community by listening and responding to the voices of those who are marginalized.

2. Definitions

2.1 **Corporation** – refers to The Corporation of the City of London

2.2 **Discrimination** – Treating someone unfairly by either imposing a burden on them, or denying them a privilege, benefit, or opportunity enjoyed by others, because of their race, citizenship, gender, family status, disability or other personal characteristics.

2.3 **Diversity** – The concept of diversity includes acceptance and respect. It means understanding that each individual is unique and recognizing the differences along the various dimensions of race, ethnicity, gender expression and gender identity, socio-economic status, sexual orientation, physical and invisible disabilities, creed amongst many other dimensions. It is exploring these differences in a safe, positive and nurturing environment. It is about moving beyond simple tolerance to embracing and celebrating the rich dimensions of diversity contained within each individual.

2.4 **Equity** – The rights of the individual to an equitable share of the goods and services in society. Equality of treatment will not guarantee equal results, creating equal results sometimes requires treating people differently from each other. Focusing on the results instead of treatment is the concept of equity.

2.5 **Inclusion** – Acknowledging and valuing people's differences so as to enrich social planning, decision-making, and quality of life for everyone. In an inclusive municipality we each have a sense of belonging, acceptance, and are recognized as valued and contributing members of the society. Real inclusion takes place when those already included in the mainstream learn from those that are historically and currently excluded and then work together to initiate change.

2.6 **Privilege** – Unearned power, benefits, advantages, access and/or opportunities that exist for members of the dominant group(s) in society. Can also refer to the relative privilege of one group compared to another group.

2.7 **Systemic barriers** – Obstacles that exclude groups or communities of people from full participation in and the benefits of social, economic and political life, they may be hidden

or unintentional, but are built into the way society works. Existing policies, practices and procedures, as well as assumptions and stereotypes, reinforce them.

- 2.8 **Systemic oppression(s)** – Systemic use of power to disempower, marginalize, silence or otherwise subordinate one social group or category, often in order to further empower and/or privilege the oppressor.

3. **Applicability**

This Policy applies to Members of Council, all levels of Civic Administration, employees, volunteers, visitors and vendors on record.

4. **The Policy**

Why Diversity and Inclusion?

When we understand and accept diversity, we lower barriers and achieve important benefits.

- When we encourage the active, equitable and full participation of every person, we are drawing on the diverse life experiences and points of view of our fellow citizens. This leads to more innovative solutions.
- When we promote London as a diverse city that is welcoming of all people, the city is more competitive in the global marketplace and more attractive as a destination for visitors and new residents. This benefits our economy.
- When we respect, value, and nurture diversity as an exciting and integral part of our collective experience and identity we can strengthen and create a safe, healthy, and vibrant community. This benefits our society.

In order to enjoy the benefits of a diverse community, we need to address barriers that impede equal participation, work toward the elimination of bias, prejudice and discrimination (which can be intentional, unintentional or systemic) and promote diversity and foster inclusion in an equitable manner.

Valuing Diversity and Inclusion

- We can pursue more inclusive strategies for members of the community by recognizing and dismantling the barriers and discrimination faced by all people.
- We can maximize the potential of each person by promoting an environment of equitable inclusion within the community and within the Corporation for all people.

What will The CORPORATION of the City of London do?

Recognizing that the Corporation (including its agencies, boards, commissions, and advisory committees) plays a role in leadership and education in the community, the Corporation is committed to:

- promoting the Diversity and Inclusion Policy both internally and for the community of The City of London;
- ensuring setting standards for compliance to the policy internally at the organizational level;
- ensuring that external organizations and individuals have access to this policy;
- encouraging and recognizing excellence in corporate and community citizenship in the areas of diversity and inclusion;
- encouraging public and private organizations to respect and adhere to the objectives of this policy; and
- leading by example.

What can ORGANIZATIONS in the community do?

Recognizing that the Corporation, organizations, businesses, and community agencies (including businesses and organizations that provide services, supplies or products, to, or on behalf of the Corporation) set the tone for the community, the Corporation will do the following and encourage other organizations to do so:

- ensure that this policy is widely communicated and that all employees, and others to whom the policy applies, understand its intent and value its impact;

- ensure that existing policies and practices, including employment policies, are built upon non-discriminatory practices; that future policies and practices meet the objectives of this policy; and that revisions are communicated to the entire organization;
- review current practices to ensure that every person is treated with equity and without discrimination and to eliminate barriers in accessing goods and services;
- seek opportunities to involve and include people of diverse backgrounds in the design, use and evaluation of goods and services;
- provide training and include and involve staff and volunteers in activities designed to promote awareness, acceptance, celebration of diverse identities, and of fostering empathy and inclusion;
- establish mechanisms to ensure that discrimination and harassment are not encouraged or tolerated under any circumstance;
- monitor organizational compliance with this policy and set standards for compliance; and
- lead by example.

What can you as an INDIVIDUAL do?

Recognizing that social change begins with individual change, you can, as a resident or visitor to the City of London:

- evaluate your own actions and preconceived ideas about individuals and groups;
- raise self- awareness, acknowledge your privilege and use that to become an effective ally to those whose voices are not heard and those marginalized;
- educate yourself, volunteer your time, and participate in activities which will broaden your experience and understanding of diversity;
- encourage and support the development of programs and projects that promote harmony and inclusion;
- advocate both the elimination of discrimination, fostering inclusion and the celebration of diversity within your own workplace or community;
- challenge discrimination when you experience it or are aware of its existence; and
- lead by example.

APPENDIX B3

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-122-374
being "Accessibility 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-122-374 being "Accessibility Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-122-374 being "Accessibility Policy" is hereby amended by deleting Appendix 'C(40)' to CPOL.-122-374 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Accessibility Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-122-374)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Human Resources and Corporate Services

1. Policy Statement

This policy outlines The Corporation of the City of London's ("Corporation") commitment to providing quality goods, services, and facilities that are accessible to all persons the Corporation serves.

2. Definitions

2.1 **Corporation** – refers to The Corporation of the City of London

3. Applicability

This policy applies to all employees of the Corporation, Council Members, Standing and Advisory Committee members, volunteers and all other persons who provide goods, services or facilities on behalf of the Corporation.

4. The Policy

The Corporation of the City of London is committed to providing quality goods, services, and facilities that are accessible to all persons the Corporation serves. The Corporation will continue to work with the community and allocate appropriate resources toward the elimination of accessibility barriers in customer service, information and communication, employment, transportation and the design of public spaces and are committed to meeting the requirements of applicable legislation, including the *Accessibility for Ontarians with Disabilities Act* and Ontario's *Human Rights Code*.

APPENDIX B4

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-123-375 being "Promotion of Corporate Products to City Staff".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-123-375 being "Promotion of Corporate Products to City Staff" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-123-375 being "Promotion of Corporate Products to City Staff" is hereby amended by deleting Appendix 'C(41)' to CPOL.-123-375 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Promotion of Corporate Products to City Staff

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-123-375)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Rewards and Recognition

1. Policy Statement

1.1 To establish a consistent approach for the promotion of corporate products and services to employees of The Corporation of the City of London ("Corporation").

2. Definitions

2.1 **Corporation** – refers to The Corporation of the City of London

3. Applicability

3.1 This policy applies to individuals, groups, and companies wishing to provide incentives to employees of the Corporation to purchase their products or services. This policy does not apply to Corporation sponsored programs such as the Corporate Wellness Program, technology purchasing programs or any other promotions or sponsorships approved in writing by the City Manager.

4. The Policy

Individuals, groups, and companies wishing to promote off-site incentives to employees to purchase their products or services must first obtain written approval from the Corporation.

Requests should be submitted in writing to the Human Resources Division and will be reviewed by a cross-functional team that may include representatives from the following Corporate Services Areas: Finance, Human Resources and Legal for propriety and to ensure that any offer:

- i) would be made available to all employees;
- ii) does not conflict or contravene with Corporation Policies; including, but not limited to, the Procurement of Goods and Services Policy and the Code of Conduct for Employees; and
- iii) does not place the Corporation in any type of financial risk.

Notice of any off-site incentives to employees to purchase products or services shall be subject to the approval of the cross-functional team for placement on the City's Intranet.

No promotional events or direct solicitation by individuals, groups, and companies wishing to provide incentives to employees to purchase their products or services shall be permitted in City owned or occupied facilities.

APPENDIX B6

Bill No.
2018

By-law No.

A by-law to amend By-law No. A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*.

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 on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001* (the "Council Policy By-law");

AND WHEREAS it is deemed expedient to amend Schedule B – Hiring of Employees Policy to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being the "Hiring of Employees Policy", is hereby amended by deleting Schedule "B" to By-law No. A.-6151-17 in its entirety and replacing it with the attached new Schedule "B", which shall be Schedule "B" to By-law A.-6151-17.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "B"

Policy Name: Hiring of Employees Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Talent Management

1. Policy Statement

- 1.1. The Corporation of the City of London ("Corporation") is committed to ensuring that all matters related to recruitment and employment are carried out in a fair and unbiased manner. All applicants will have an equal opportunity for employment in compliance with legislative provisions.

2. Definitions

- 2.1. **Corporation** – refers to The Corporation of the City of London

3. Applicability

- 3.1. This policy applies to individuals including employees of the Corporation, who are applying for positions within the Corporation and employees involved in the Corporation's hiring and recruitment processes.

4. The Policy

As an employer, the Corporation is committed to workplace diversity and inclusion. Having a wide variety of people in our workplace helps our organization to be more flexible, creative and responsive. It helps us provide better service to our diverse community. The Corporation is committed to building a supportive and diverse workplace, representative of our community.

The Corporation recognizes that every applicant has a right to equal treatment with respect to recruitment and employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

The Corporation is committed to maintaining accessible hiring and recruitment practices including providing reasonable accommodations in all parts of the hiring process for people with disabilities.

Every bona fide application will be considered by the Human Resources Division.

Applicants having close relatives already employed by the Corporation shall not be excluded from consideration of employment with the Corporation. Prospective new hires or candidates for transfer or promotion must declare during the recruitment and selection process any family relationships with individuals who directly or indirectly supervise or manage the position being applied to. Additionally, existing employees must declare and not participate in or influence any part of the recruitment and selection process where another family member is an internal or external applicant for a position.

It is the expectation of Council that hiring practices and decision making will be centered on transparency, integrity, equal opportunity and will be free from any undue influence.

APPENDIX B7

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-151-403
being "Employee Service Recognition Program".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-151-403 being "Employee Service Recognition Program" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-151-403 being "Employee Service Recognition Program" is hereby amended by deleting Appendix 'C(70)' to CPOL.-151-403 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Employee Service Recognition Program

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-151-403)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Rewards and Recognition

1. Policy Statement

- 1.1 This policy establishes programs recognizing those employees who retire from civic service and those with 25 years of continuous service with The Corporation of the City of London ("Corporation") and the London Police Service.

2. Definitions

- 2.1 **Continuous Service** – shall mean there has been no break in service.
- 2.2 **Corporation** – shall mean The Corporation of the City of London.
- 2.3 **OMERS** – shall mean the Ontario Municipal Employees Retirement System.
- 2.4 **Retired** – shall mean when an employee has chosen to leave their position, stops working and elects to receive their pension.

3. Applicability

- 3.1 This policy shall apply to all employees of the Corporation and employees of the London Police Service who have retired from civic service and those employees with 25 years of continuous service. This policy does not apply to Elected Officials or Members of the London Police Service Board.

4. The Policy

- 4.1 Employees who have retired from civic service in the current calendar year and are receiving an OMERS pension shall be recognized at an annual event held by the Corporation. The retiring employee and their guest shall be invited to attend the event and will be presented with a gift based on the following monetary value:

- Up to 19 years of service - \$175.00
- 20 – 29 years of service - \$200.00
- 30 – 39 years of service - \$265.00
- 40 years of service and over - \$300.00

- 4.2 Employees who have achieved 25 years of continuous service shall be invited with one guest, to attend a regular meeting of the Municipal Council to be recognized for their years of service. The employee and their guest will also be invited to join the Members of Municipal Council for dinner at that meeting, and will receive a gift selected by the employee based on a catalogue of gifts established by the Corporation.

- 4.3 An annual reunion event will be held by the Corporation for all retired employees and all employees who have achieved 25 years of continuous service.

APPENDIX B8

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-153-405 being "Benefits for Survivors of Employees Killed on the Job".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-153-405 being "Benefits for Survivors of Employees Killed on the Job" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-153-405 being "Benefits for Survivors of Employees Killed on the Job" is hereby amended by deleting Appendix 'C(72)' to CPOL.-153-405 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: Benefits for Survivors of Employees Killed on the Job

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-153-405)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Rewards and Recognition

1. Policy Statement

- 1.1 To outline the types of monetary support which could be provided to survivors of employees of The Corporation of the City of London (“Corporation”) who are killed while carrying out their duties.

2. Definitions

- 2.1 **Corporation** – refers to The Corporation of the City of London

- 2.2 **OMERS** – Ontario Municipal Employees Retirement System

3. Applicability

- 3.1 This policy applies to the survivors of employees of the Corporation who are killed while carrying out their duties.

4. The Policy

Proceeds from insurance policies, OMERS, Canada Pension Plan, Workplace Safety and Insurance benefits, or any other plan will be paid out as applicable to survivors of City employees who are killed while carrying out their duties. Further supplementary financial assistance beyond the noted proceeds will not be granted.

APPENDIX B9

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-154-406 being "Appointments Requiring Council Approval and/or Consultation".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-154-406 being "Appointments Requiring Council Approval and/or Consultation" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-154-406 being "Appointments Requiring Council Approval and/or Consultation" is hereby amended by deleting Appendix 'C(73)' to CPOL.-154-406 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Appointments Requiring Council Approval and/or Consultation

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-154-406)

Last Review Date: June 25, 2018

Service Area Lead: Managing Director, Corporate Services and Chief Human Resources Officer

1. Policy Statement

- 1.1. This policy establishes the positions for whose appointment requires a recommendation to Council and outlines how the recommendation will be made.

2. Definitions

- 2.1. **Vacancy** – shall mean a vacancy which occurs in cases such as promotion, resignation, retirement, discharge or death.

3. Applicability

- 3.1. This policy applies to all employees who may be eligible for an appointment to a specified position that requires a recommendation to Council.

4. The Policy

- a) The following positions be identified as those for whose appointment require a recommendation to Council, as outlined below:
- 1) City Manager
 - 2) Managing Director, Corporate Services & City Treasurer & Chief Financial Officer
 - 3) City Clerk
 - 4) Other Statutory Officers required to be appointed by by-law
 - 5) Managing Director, Environmental & Engineering Services & City Engineer
 - 6) Managing Director, Corporate Services & City Solicitor
 - 7) Managing Director, Housing, Social Services & Dearness Home
 - 8) Managing Director, Planning & City Planner
 - 9) Managing Director, Corporate Services & Chief Human Resources Officer
 - 10) Managing Director, Neighbourhood, Children & Fire Services
 - 11) Managing Director, Parks & Recreation
 - 12) Managing Director, Development & Compliance Services & Chief Building Official
- b) In the case of position number 1 under subclause a) above, the Corporate Services Committee shall make a recommendation on its nomination to Council;
- c) In the case of positions numbered 2 through 4 under subclause a) above, the City Manager shall make a recommendation to the Corporate Services Committee with respect to the appointment; the Corporate Services Committee shall make a recommendation on its nomination to Council;
- d) In the case of positions numbered 5 through 12 under subclause a) above, the City Manager will nominate a shortlist of candidates for interview with the Corporate Services Committee. The Corporate Services Committee will consult with the City Manager, and on the advice of the City Manager, will make a recommendation on its nomination to Council;
- e) All positions noted in subclause a), 1 through 12, shall be appointed by By-law of the Council;
- f) In the case of all other management positions not mentioned in subclause a) above, appointments may be made by the Service Area Lead in which the vacancy occurs.

APPENDIX B10

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-155-407 being "Workplace Harassment and Discrimination Prevention 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-155-407 being "Workplace Harassment and Discrimination Prevention Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-155-407 being "Workplace Harassment and Discrimination Prevention Policy" is hereby amended by deleting Appendix 'C(74)' to CPOL.-155-407 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Workplace Harassment and Discrimination Prevention Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-155-407)

Last Review Date: June 25, 2018

Service Area Lead: Managing Director, Corporate Services and Chief Human Resources Officer

1. Policy Statement

The Corporation of the City of London ("the Corporation") is committed to fulfilling its obligation to provide every employee with a work environment that is safe and free from harassment and discrimination on the grounds set out in the *Ontario Human Rights Code* (the "Code").

2. Definitions

Discrimination: Actions or behaviours that result in unfavourable or adverse treatment because of one or more of the prohibited grounds.

Employee: All individuals employed by the Corporation, including, managerial, supervisory, full-time, part-time, temporary, casual, and students on placement.

Harassment: Engaging in a course of vexatious comment or conduct that is known or reasonably ought to be known to be unwelcome.

Harassment/Discrimination Response Team: Shall be comprised of: the City Manager, relevant Managing Director, Chief Human Resources Officer or their designates, and a member of the City Solicitor's Office.

Prohibited Grounds: Include race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

"Age", "disability", "family status", "marital status", and "record of offences" shall be as defined in the Code.

Workplace: All of the Corporation's facilities and work sites, including vehicles and any other land, premises, locations or things at, upon, in or near where the business of the Corporation is being conducted. Included in this definition are Corporate-related activities, including Corporation-sanctioned social functions, or business performed at any other location away from the Corporation's facilities, during or outside of normal working hours.

3. Applicability

The Corporation will not tolerate harassment or discrimination on the grounds set out above of any of its employees in any of its workplaces, by anyone, including: other employees of the Corporation, non-employees, clients and customers of the Corporation. Accordingly, this Policy applies to all of the Corporation's employees, Members of Council, volunteers (including members of Advisory Committees, Special Committees and Task Forces), students on placements, individuals contracted by the Corporation on a "purchase of service" agreement, clients and customers.

The Policy shall be posted on the Corporation's intranet, on the Corporation's website and in the Corporation's workplaces.

4. The Policy

The following provisions of the Code form the framework of this Policy.

Employment

Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

Harassment in employment

Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

Harassment because of sex in workplaces

Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by their employer or agent of the employer or by another employee.

Sexual solicitation by a person in position to confer benefit, etc.

Every person has a right to be free from,

- a) a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or
- b) a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.

Reprisal/Retaliation

Reprisal/retaliation is also unlawful and will not be tolerated. Discriminating against an individual for:

- a) invoking this Policy (on behalf of themselves or another individual); or
- b) participating or cooperating in an investigation under this Policy; or
- c) associating with a person who has invoked this Policy or participated in these procedures;

will be treated as a violation of the Policy and will be dealt with accordingly. In such a case the offender may be subject to the same corrective and/or disciplinary action listed below.

4.2 Examples of Prohibited Conduct

Discrimination

Differential or unequal treatment based on one or more of the prohibited grounds.

Examples could include but are not limited to:

- exclusion from workplace activities
- refusal to work with another employee
- denial of hiring, promotion, work assignment, career development or training
- denial of services to any individual or group of individuals

Sexual harassment

Examples could include but are not limited to:

- comments, jokes, slurs, innuendos or taunting about a person's body, attire or sex
- comments or conduct of a sexual nature (verbal, written, physical)
- jokes of a sexual nature which cause awkwardness or embarrassment
- displaying pornographic pictures or other offensive material
- attaining, viewing, retaining or distributing pornographic information/materials from the internet or other sources
- inappropriate touching, gestures, leering, staring or sexual flirtations
- sexual/physical assault (also an offence under the *Criminal Code*)
- persistent unaccepted solicitations for dates (including unwelcome contact subsequent to the end of an intimate relationship)
- solicitation(s) made by a person in a position to confer or deny a workplace benefit or advancement on the recipient

- unwelcome comments or questions about a person's sex life

Racial/Ethnic Discrimination/Harassment

Examples could include but are not limited to:

- remarks, jokes, slurs, innuendos, or taunting about a person's racial or ethnic background
- name calling including derogatory racial or ethnic slurs
- the display of racist pictures or graffiti
- refusing to work or interact with an employee because of her or his racial or ethnic background
- insulting comments, gestures or jokes based on racial or ethnic grounds
- inappropriate comments, gestures or jokes about a person's racial or ethnic background
- attaining, viewing, retaining or distributing racist information from the internet or other sources

Other Discrimination/Harassment (based on any other prohibited ground):

Examples could include but are not limited to:

- pornographic or sexist remarks, jokes, slurs, innuendos or taunting
- vandalism of property
- interference with a person's ability to perform their work responsibilities
- offensive communication via any means (e.g. electronic mail, voice mail, print or radio)
- displaying pornography, sexist, derogatory or offensive pictures or material

What Is Not Harassment:

- the performance of management functions such as but not limited to:
 - performance reviews/appraisals;
 - performance management (including coaching, counselling, discipline);
 - organizational changes/restructuring;
 - shift/vacation scheduling; and,
 - work assignments/work location;
- stressful events encountered in the performance of legitimate duties
- consensual romantic relationships, except where one participant is in a position to confer or deny a workplace benefit on the other

4.3 Responsibilities

Every individual to whom this Policy applies has a responsibility to ensure that the work environment is safe and free from workplace harassment and discrimination by:

- a) refraining from any form of workplace harassment or discrimination;
- b) advising the Intake Administrator or Specialist, HR Business Solutions or any member of management of an incident of apparent workplace harassment or discrimination, or any incident of retaliation against any person for invoking this Policy; and
- c) co-operating in an investigation and handling of any incident of harassment or discrimination.

Parties are further reminded to consider their responsibilities with respect to workplace harassment or workplace sexual harassment under the Corporation's Code of Conduct for Employees and the *Occupational Health and Safety Act*.

Managers

Managers are responsible for providing a workplace free from harassment and discrimination. They must act immediately on observations or allegations of harassment/discrimination. A manager may be held responsible if they were aware of an incident involving harassment or discrimination but did not take any steps to resolve or address it.

Managers must be aware of what constitutes harassment and discrimination and the procedures that are in place for dealing with allegations/complaints.

Managers must ensure that their own acts adhere to this Policy.

Human Resources Division

The Human Resources Division can assist managers in responding to matters under this Policy. Human Resources can also make referrals to agencies for counselling and assistance where required. The Division is also responsible for: maintaining and updating this Policy, training on the Policy, receiving and acting on complaints (including investigating and mediating complaints, and the implementation of resolutions), and all reporting relating to the Policy.

Human Rights Division

The Human Rights Division provides support for the intake, tracking and processing of inquiries, complaints and investigations under this Policy. In addition, the Human Rights Division can also make referrals to agencies for counselling and assistance when required.

Unions/Associations

Union/Association officials are available for confidential consultation and to provide representation to both complainants and respondents, if they are Union/Association members. Union/Association officials can also make a referral to agencies for counselling and assistance when required.

Community Agencies

Community agencies are available to provide confidential advice to individuals affected by complaints.

4.4 Complaints Involving the City Manager/Managing Directors/Intake Administrator

If an employee believes that a Managing Director or Intake Administrator has engaged in conduct contrary to this Policy, the employee is encouraged to advise the City Manager or Chief Human Resources Officer as soon as possible. If an employee believes that the individual holding the position of City Manager has engaged in conduct contrary to this Policy, the employee is encouraged to advise the Chief Human Resources Officer as soon as possible. Upon being advised of a complaint, the City Manager or the Chief Human Resources Officer, as the case may be, will immediately refer the complaint to an external investigator. The external investigator will perform all the functions assigned to the Human Rights Division and Human Resources Division as described in this Policy and the Formal Investigation Process and will provide their investigation report and recommendations, if any, to the Committee designated by the Municipal Council to deal with such matters. The Committee, after consultation with the external investigator, shall make recommendations to the Municipal Council relating to corrective and/or disciplinary actions, and the Municipal Council shall consider, adopt or otherwise deal with the recommendations from the Committee.

In all other respects, the Resolution/Complaint Procedures set out below will apply to the processing of the complaint.

4.5 Resolution/Complaint Procedures

- a) Individual Action (Optional)
- b) Informal Action
- c) Mediation (Optional)
- d) Formal Investigation

a) Individual Action - OPTIONAL

If an employee believes that they are being harassed or discriminated against contrary to this Policy, it is recommended, but not required by the Policy, that the respondent be told as soon as possible that their behaviour/actions are unwelcome and must stop.

It is not necessary for the complainant to advise the respondent directly. The communication may be done verbally, via e-mail, in writing, or other suitable means. It is recommended that if the communication is done verbally, what was said, as well as the date, time and place, be recorded.

The Intake Administrator, a Union/Association representative, a Specialist, HR Business Solutions, any member of management or a trusted friend may assist.

Documentation: It is recommended that the complainant maintain a detailed, written record of incidents of harassment/discrimination, including the number of occurrences, date(s), time(s),

place(s), nature of the offensive behaviour(s), names of individuals who may have observed the incidents and all actions taken.

b) Informal Action

If an employee is not comfortable confronting the respondent or if the harassment or discrimination continues, they shall advise one of the following: the Intake Administrator, a Specialist, HR Business Solutions or any member of management of their complaint, preferably in writing. A Specialist, HR Business Solutions or member of management will report the matter to the Intake Administrator. The Chief Human Resources Officer, or designate, in consultation with the Intake Administrator, and with the employee if appropriate, may determine an appropriate informal course of action which will effectively resolve the complaint in a timely and fair manner.

Circumstances in which an informal course of action may be appropriate include, but are not limited to, the following:

- Where the alleged misconduct is minor in nature.
- Where all the facts necessary for resolution are known without the need for further inquiry.
- Where no other resources or special expertise are required for an impartial and timely resolution.

Upon becoming aware of a complaint, the Corporation will determine whether the subject matter falls under this Policy or is more appropriately dealt with under another policy (e.g. Code of Conduct for Employees, Workplace Violence Prevention), and whether further action and/or investigation is warranted.

c) Mediation - OPTIONAL

Mediation is a voluntary process whereby the complainant and respondent meet with a trained mediator to determine whether the complaint can be resolved in a mutually satisfactory manner.

The Corporation recognizes that mediation is not appropriate in all circumstances, such as when there are allegations of severe discrimination/harassment which, if substantiated, would result in disciplinary action. Accordingly, where the Corporation deems mediation appropriate it will be offered to the parties but will only be conducted with the consent of both the complainant and the respondent. It is preferable that mediation be attempted prior to a formal investigation but will remain available to the parties throughout the investigation process.

During the mediation process, the complainant and the respondent may, if desired, be accompanied by a Union/Association representative or a trusted friend.

If a mediated settlement is reached, the terms of the settlement shall be reduced to writing and signed by the complainant, respondent and the mediator. If the settlement requires any action on the part of the Corporation, the agreement of the Chief Human Resources Officer will be required.

Discussions between the parties at the mediation will be treated as discussions carried out with a view to effecting a settlement and will be treated as privileged and confidential to the full extent permitted by law.

d) Formal Investigation

If mediation or other informal attempts to resolve the complaint are not appropriate or prove ineffective or where the Corporation determines that further inquiry is warranted, a formal investigation into the matter will be conducted.

An investigation into a potential breach of this Policy may also be initiated by the Corporation where it deems appropriate, including where allegations of harassment or discrimination that, in the Corporation's assessment, warrant further action/investigation are made by someone other than the alleged victim and the alleged victim does not wish to submit a complaint.

Formal investigations and communication of the findings from such investigations will be conducted in accordance with the Corporation's Formal Investigation Process.

4.6 General Provisions

Interim Measures

In certain circumstances such as where safety is at issue, it may be necessary to take immediate measures. In such a case, interim measures shall be determined by the Chief Human Resources Officer, or designate, in consultation, where appropriate, with other members of the Harassment/Discrimination Response Team, the Corporate Security and Emergency Management Division and/or the London Police Service, if applicable. Interim measures may include but are not limited to relocating a party, or placing a party on a non-disciplinary suspension with pay, pending the resolution of the complaint or outcome of the investigation.

Support for Parties

The Corporation recognizes that involvement in a harassment/discrimination investigation may be stressful and emotionally upsetting. Complainants, respondents and other affected employees may access the counselling services and support provided by the Corporation's employee assistance provider. Additionally, complainants may wish to access counselling and support through outside agencies.

4.7 Corrective Action and/or Disciplinary Action

Where a finding of discrimination or harassment has been made, the Harassment/Discrimination Response Team will determine what the appropriate corrective action and/or disciplinary actions will be.

Where it is determined that corrective action or disciplinary action is to be taken against an employee of the Corporation, such action may include, but is not limited to, the following:

- an apology
- coaching or counselling
- education or training
- warning
- suspension or leave without pay
- demotion
- transfer
- termination of employment

Where there has been a finding of harassment or discrimination, a manager will implement any corrective or disciplinary actions.

Where it is determined that corrective action is to be taken against members of Council, volunteers (including members of Advisory Committees, Special Committees, and Task Forces), students on placements, individuals contracted by the Corporation on a "purchase of service" agreement, clients or customers, the Corporation will take such corrective action as is reasonable in the circumstances and permitted by law to ensure that the harassment or discrimination stops.

The Corporation may also implement any systemic remedies as it may deem appropriate.

Where Complaint Not Substantiated

Where there is insufficient evidence to prove that harassment or discrimination occurred, no record of the complaint shall be placed in the respondent's Human Resources file.

Vexatious/Bad Faith Complaints

Where it is determined that the complainant has made a vexatious/bad faith complaint or an individual makes allegations knowing them to be false, the Harassment/Discrimination Response Team will take appropriate corrective and/or disciplinary action which may include the same corrective and/or disciplinary actions noted above.

Timing

The complaint should be made as soon as possible after the harassment or discrimination occurred, preferably within one year after the last incident of harassment or discrimination occurred unless there are reasons why it was not practicable to bring it forward sooner. Where failure to make a complaint in a timely fashion affects the ability of the Corporation to conduct a full and complete investigation, the Corporation may decline to deal with the complaint.

4.8 Related Criminal Proceedings

Where criminal proceedings are initiated against a respondent based on the allegations in a complaint of harassment or discrimination that fall within the ambit of this Policy, the Corporation will conduct its own independent investigation, if possible, into the allegations and make its own determination in accordance with this Policy.

4.9 Confidentiality And Record Of Disciplinary/Corrective Action

The administration of this Policy will also be in accordance with *the Municipal Freedom of Information and Protection of Privacy Act* and the *Occupational Health and Safety Act*. All complaints received under this Policy will be considered strictly confidential subject to the Corporation's obligation to safeguard employees, to conduct a thorough investigation and take appropriate corrective and/or disciplinary action.

The parties to the complaint and any witnesses are expected to maintain confidentiality. Unwarranted breaches of confidentiality will result in corrective and/or disciplinary action.

Where an investigation results in corrective and/or disciplinary action against an employee, a record of such action will be placed in the employee's Human Resources file.

4.10 Recourse to Human Rights Tribunal or Grievance Arbitration

A complainant who is not satisfied with the findings made through the investigation process may refer their complaint to the Ontario Human Rights Tribunal or may file a grievance under the relevant collective agreement, if applicable.

4.11 Policy Review Process

The Corporation is committed to continuing to enhance its harassment/discrimination policies, practices and procedures. This Policy shall be reviewed as required. Employees and their representatives are encouraged to provide input and feedback to a Specialist, HR Business Solutions or the Intake Administrator.

4.12 Harassment and Discrimination Prevention Training

Employees of the Corporation will receive mandatory training on this Policy upon hire. Thereafter, as appropriate, employees will receive refresher training or in-service with respect to specific rights and/or obligations arising from the *Human Rights Code* and/or the *Occupational Health and Safety Act* and will be reminded of the complaint mechanism to enforce those rights contained in this Policy and any substantial changes.

4.13 Related Policies

Accommodation of Employees with Disabilities Guideline
Code of Conduct for Employees
Use of Technology Policy
Time Off for Religious Observances Guideline
Workplace Violence Prevention
Formal Investigation Process

APPENDIX B11

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-156-408
"Mayor – Contracted Staff".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-156-408 being "Mayor – Contracted Staff" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-156-408 being "Mayor – Contracted Staff" is hereby amended by deleting Appendix 'C(75)' to CPOL.-156-408 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Mayor – Contracted Staff

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-156-408)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Talent Management

1. Policy Statement

- 1.1. This policy ensures a consistent approach is applied to the recruitment process when hiring contracted staff within the Mayor's Office.

2. Definitions

Not applicable.

3. Applicability

- 3.1. The policy applies to the Office of the Mayor and potential contracted employees whose services may be retained.

4. The Policy

The Mayor is authorized to retain the services of contracted employees for periods not to exceed the current term of the Mayor, subject to the following:

- a) the selection and salary of the contracted employees will be at the discretion of the Mayor;
- b) the contract and conditions of employment for the contracted employees will be in accordance with The Corporation of the City of London Human Resource practices and procedures; and
- c) the compensation and benefits of the contracted employees will be accommodated within the approved budget of the Mayor's office.

APPENDIX B12

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-157-409 being "Fixed Term Employment Agreements".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-157-409 being "Fixed Term Employment Agreements" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-157-409 being "Fixed Term Employment Agreements" is hereby amended by deleting Appendix 'C(76)' to CPOL.-157-409 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Fixed Term Employment Agreements

Legislative History: Enacted September 19, 2017 (By-law No. CPOL. CPOL.-157-409)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Labour Relations

1. Policy Statement

- 1.1. This policy establishes accountability for termination provisions in fixed-term employment agreements.

2. Definitions

Not applicable.

3. Applicability

- 3.1. This policy applies to any individual who enters into a contractual employment relationship for a specified period of time.

4. The Policy

The Corporation of the City of London and those local boards and commissions which are accountable to the Municipal Council are required to include an early termination provision in all fixed-term employment agreements.

APPENDIX B13

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-159-411
being "Collective Bargaining Activities".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-159-411 being "Collective Bargaining Activities" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-159-411 being "Collective Bargaining Activities" is hereby amended by deleting Appendix 'C(78)' to CPOL.-159-411 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Collective Bargaining Activities

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-159-411)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Labour Relations

1. Policy Statement

- 1.1 This policy confirms roles and responsibilities with respect to the Collective Bargaining activities.

2. Definitions

Not applicable.

3. Applicability

- 3.1 This policy applies to the Mayor and Members of Council.

4. The Policy

The Mayor and Members of Council will not participate in Collective Bargaining activities, it being noted that this responsibility will continue to rest with the appropriate members of the Civic Administration.

APPENDIX B14

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-15-211 being
“Bravery Award 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-15-211 being “Bravery Award Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-15-211 being “Bravery Award Policy” is hereby amended by deleting Appendix C(1) to CPOL.-15-211 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Bravery Award Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-15-211)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes a City Council award for the recognition of an act of bravery which exhibited courage.

2. Definitions

For the purposes of this policy,

- 2.1 **Bravery** – shall mean “courage, valour, heroism, fearlessness, daring”.
- 2.2 **Courage**– shall mean the quality of meeting danger or opposition with fearlessness; dealing with anything recognized as dangerous, difficult or painful, instead of withdrawing from it.

3. Applicability

- 3.1 This Council policy applies to all residents of the City of London, and may be awarded posthumously.

4. The Policy

- 4.1 The Chief of Police and/or the Fire Chief and/or any other public official having knowledge of a situation that warrants recommendation that a Bravery Award be issued, given the facts and circumstances surrounding an act of bravery which demonstrated courage, shall be reported to the appropriate Standing Committee of Council.
- 4.2 Upon approval of the granting of a Bravery Award by City Council, the recipient of the Bravery Award, or their representative, shall be invited to a future meeting of City Council for presentation of the Award by the Mayor, on behalf of the Municipal Council.
- 4.3 The Bravery Award shall take the form of an appropriately worded certificate.

APPENDIX B15

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-17-213 being
“Queen Elizabeth Scholarships”.

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-17-213 being “Queen Elizabeth Scholarships” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-17-213 being “Queen Elizabeth Scholarships” is hereby amended by deleting Appendix “C(3)” to CPOL.-17-213 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Queen Elizabeth Scholarship Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-17-213)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the Queen Elizabeth Scholarship to be granted by City Council, in each school year, for admission to any University or College, to the two (2) graduating secondary school students with the highest scholastic achievement.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This Council policy applies to any graduating secondary school student who meets any one of the following criteria:
- a) has lived in the City of London for at least three years and has attended a secondary school within the City of London for their three final years of secondary school education; or
 - b) has lived in the City of London for at least three years and has attended a secondary school outside the limits of the City of London for their final three years of secondary school education, provided the Thames Valley District School Board or the London District Catholic School Board has paid for their attendance at such school; or
 - c) has resided outside the limits of the City of London and has attended a secondary school within the City of London for their three final years of secondary school education, provided their parents or guardians either own or rent property within the City of London.

4. The Policy

- 4.1 Two (2) Queen Elizabeth Scholarships, in the amount of \$2,000 each, shall be granted by City Council in each school year, for admission to any University or College, to the two (2) graduating secondary school students with the highest scholastic achievement, subject to the approved budget.
- 4.2 In the event that more than two graduating secondary school students are tied for their scholastic achievement, then the Queen Elizabeth Scholarship, may, on an exception basis, be awarded to more than two graduating secondary school students, budget permitting.
- 4.3 In the event that more than two graduating secondary school students qualify for the Queen Elizabeth Scholarship, but the budget does not permit for more than two graduating secondary school students to receive the Scholarship, then two names shall be drawn from the list of qualifying students to determine the two recipients.
- 4.4 Achievement shall be based on the average of the student's best six subjects in their graduating year, carried to two decimal points.
- 4.5 Applications for the Queen Elizabeth Scholarship shall be completed and returned to the Thames Valley District School Board or the London District Catholic School Board prior to July in any year.
- 4.6 The Director of Education for the Thames Valley District School Board (or their delegate) and the Director of Education for the London District Catholic School Board (or their delegate) shall meet in the first week of July of each year, for the purpose of determining the names of the applicant students who meet the terms of the Scholarship, and the names of three alternate applicant students, in order of merit; such names to be submitted to the appropriate Standing Committee of City Council for consideration at the first meeting in July after the first week of July, of the appropriate Standing Committee.

- 4.7 The appropriate Standing Committee shall recommend the names of the annual recipients of the Queen Elizabeth Scholarship to City Council for consideration at its first meeting after the successful applicants have been determined by the said Standing Committee.
- 4.8 The Council-approved recipients shall be invited to the last City Council meeting in August to receive a certificate presented by the Mayor, on behalf of City Council, stating that they have been awarded a Queen Elizabeth Scholarship in the current year.
- 4.9 The City Clerk shall arrange for the payment of the Queen Elizabeth Scholarship in a manner which is mutually acceptable to the City and the recipient.

APPENDIX B16

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-18-214 being
“Mayor’s New Year’s Honour List 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-18-214 being “Mayor’s New Year’s Honour List Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-18-214 being “Mayor’s New Year’s Honour List Policy” is hereby amended by deleting Appendix “C(4)” to CPOL.-18-214 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Mayor's New Year's Honour List Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-18-214); Amended April 24, 2018 (By-law No. CPOL.-18(a)-144)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the Mayor's New Year's Honour List for the recognition of persons who have contributed in an outstanding manner to the community of London in one of the categories of Accessibility, Age Friendly, Arts, Diversity and Race Relations, Environment, Heritage, Housing, Humanitarianism, Safety & Crime Prevention and Sports.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This Council policy applies to all persons who have contributed in an outstanding manner to the community of London in prescribed categories.

4. The Policy

4.1 Categories

Persons may be recognized in any of the following categories:

- a) Accessibility (i.e. contributions to foster an environment of inclusion that embraces citizens of all abilities);
- b) Age Friendly (i.e. contributions to empowering older adults and advancing an age friendly community);
- c) Arts (i.e. contributions to fostering and/or the production of human creativity);
- d) Diversity and Race Relations (i.e. contributions to the elimination of hate and discrimination).
- e) Environment (i.e. contributions to the awareness, preservation and protection of the environment);
- f) Heritage (i.e. contributions to the awareness, preservation and protection of heritage resources);
- g) Housing (i.e. contributions to the provision of safe and accessible housing for all members of the community);
- h) Humanitarianism (i.e. contributions to human welfare through philanthropic and other efforts);
- i) Safety & Crime Prevention (i.e. contributions to a safe and secure community); or
- j) Sports (i.e. contributions to the awareness of and participation in sports activity and/or demonstrated excellence within a particular sports activity).

4.2 Nominating Committees/Organizations

The following Committees/Organizations shall nominate individuals in the respective categories:

- a) Accessibility – Accessibility Advisory Committee
- b) Age Friendly – Age Friendly London Network
- c) Arts – London Arts Council

- d) Diversity and Race Relations – Diversity, Inclusion and Anti-Oppression Advisory Committee
- e) Environment – Advisory Committee on the Environment
- f) Heritage – London Advisory Committee on Heritage
- g) Housing – London Housing Advisory Committee
- h) Humanitarianism – Diversity, Inclusion and Anti-Oppression Advisory Committee
- i) Safety & Crime Prevention – Community Safety and Crime Prevention Advisory Committee
- j) Sports – London Sports Council

4.3 Conditions

The following conditions shall apply to the nomination of individuals:

- a) a maximum of ten persons shall be named in any one year, with no more than one being from each of the ten categories referred to above subject to:
 - i) a person may not necessarily be named in each category each year;
 - ii) City Council may, at its sole discretion and on an exception basis, choose to recognize two individuals in any one category in a given year should the City Council determine that two individuals have inseparably partnered in contributing to their respective category, thereby increasing the aggregate amount of nominees beyond the usual maximum of ten persons to be named in any one year;
- b) the recipients shall be chosen for long standing contributions in their respective categories;
- c) the name of any one individual shall be included on the Honour List only once in their lifetime;
- d) any person currently serving as a member of any one of the Advisory Committees or organizations referred to in 4.2 shall not be eligible for naming to the list during their term of appointment;
- e) nominees being recommended by the Advisory Committees or organizations referred to in 4.2 shall have at least seventy-five percent of the total eligible votes on the respective Advisory Committee or organization.

4.4 Form of Recognition

- a) The recipients shall be honoured at the first meeting of City Council in January, with dinner for themselves and one guest, and presentation of an appropriately-worded certificate.
- b) A plaque shall be displayed in a prominent public area of City Hall honouring those persons named each year to the Mayor's New Year's Honour List and shall be updated annually by the City Clerk.

APPENDIX B17

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-19-215 being
“Annual Retirement Dinner, 25-Year Club Dinner
and Other Civic Dinners 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-19-215 being “Annual Retirement Dinner, 25-Year Club Dinner and Other Civic Dinners Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-19-215 being “Annual Retirement Dinner, 25-Year Club Dinner and Other Civic Dinners Policy” is hereby amended by deleting Appendix “C(5)” to CPOL.-19-215 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Annual Retirement Dinner, 25-Year Club Dinner and Other Civic Dinners Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-19-215)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy permits the holding of an Annual Retirement Dinner, 25-Year Club Dinner and other civic dinners.

2. Definitions

For the purposes of this policy,

- 2.1 **Retirement Dinner** – shall mean a dinner held to recognize City of London staff and London Police Service staff who have retired, or will retire, in the calendar year during which the dinner is held.
- 2.2 **25-Year Club Dinner**– shall mean a dinner held for City of London staff and London Police Service staff who have, or will have, achieved 25 years of service with the City of London or the London Police Service, in the calendar year in which the dinner is held.
- 2.3 **Civic Dinner** – shall mean a dinner hosted by the City of London for a special occasion.

3. Applicability

- 3.1 This Council policy applies to all employees of the City of London and the London Police Service

4. The Policy

- 4.1 Subject to the annual budget approval process, an annual City of London Retirement Dinner for employees retiring in the calendar year, and one guest, shall be hosted by the City of London.
- 4.2 Subject to the annual budget approval process, an annual Council dinner shall be held for those employees achieving 25 years of service in the calendar year, including one guest.
- 4.3 The City of London, on its own initiative and on the recommendation of the Mayor and the City Clerk, may host a civic dinner for special occasions which may arise from time to time, on the understanding that such dinners will be held solely on the City's initiative and not as a result of an application or request from an outside source. Civic dinners shall be subject to budget availability.

APPENDIX B18

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-20-216 being
“Diversity, Race Relations and Inclusivity Award
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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-20-216 being “Diversity, Race Relations and Inclusivity Award Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-20-216 being “Diversity, Race Relations and Inclusivity Award Policy” is hereby amended by deleting Appendix “C(6)” to CPOL.-20-216 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Diversity, Race Relations and Inclusivity Award Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-20-216)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes a City Council award to promote public awareness of and encourage ongoing initiatives on diversity, race relations, inclusivity, anti-oppression and human rights and to promote/advance London as a welcoming city through the recognition and encouragement of efforts in certain categories within the community.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This Council policy applies to both eligible nominators and eligible nominees, as provided for in the eligibility criteria.

4. The Policy

Eligibility Requirements

- 4.1 Nominators can be any individual who works or resides in the City of London and is familiar with the activities of the nominee. The nominator may be called upon for an interview by the Awards and Recognition Sub-Committee of the Diversity Inclusion and Anti-Oppression Advisory Committee for the purpose of seeking additional information regarding a nomination.

- 4.2 Nominees must:

- a) represent one of the following categories:
 - small businesses/small labour (49 or fewer employees/members);
 - large businesses/large labour (50 or greater employees/members);
 - social/community service not-for-profits (49 or fewer employees/members);
 - social/community service not-for-profits (50 or greater employees/members);
 - youth and young adult (less than 26 years of age) groups or organizations;
- b) have been operating in London continuously during the past 12 months, at a minimum;
- c) have made their qualifying contribution in the City of London within the past 12 months;
- d) consent to the nomination;
- e) in the case of previous years' recipients, be nominated for a different achievement or initiative than what they have already received an Award or for which they have been nominated.

Award Process

- 4.3
- a) All Londoners are invited to submit their nominations using the Nomination Form available on the City's website or obtained through the City Clerk's Office, 3rd Floor, City Hall, 300 Dufferin Avenue.
 - b) September 30 is the deadline for sending award nominations to the Committee Secretary of the Diversity, Inclusion and Anti-Oppression Advisory Committee.

- c) Nominations will be received for each of the following categories:
- small businesses/small labour (49 or fewer employees/members);
 - large businesses/large labour (50 or greater employees/members);
 - social/community service not-for-profits (49 or fewer employees/members);
 - social/community service not-for-profits (50 or greater employees/members);
 - youth and young adult (less than 26 years of age) groups or organizations.
- d) Nomination submissions must include:
- category of nomination
 - profile of nominee
 - consent of nominee
 - information about the nominator (i.e., name, address, etc.)
 - brief description of the nominee and initiative, including the reasons for nomination
 - responses to the following four questions:
 - i) How has the initiative contributed to the promotion of diversity, race relations, inclusivity, anti-oppression and human rights in London and promoting London as a welcoming city?
 - ii) What short or long-term impact has/will the initiative have on the promotion of diversity, race relations, inclusivity, anti-oppression and human rights in London and promoting London as a welcoming city?
 - iii) What is the potential for expansion and/or inspiration for replication of the initiative?
 - iv) How can receiving this Award be used to further promote diversity, race relations, inclusivity, anti-oppression and human rights in London and to further promote London as a welcoming city?
- e) The Diversity, Inclusion and Anti-Oppression Advisory Committee will review the nominations and, in turn, select which nominations shall proceed to City Council, via the appropriate Standing Committee, for its consideration and approval.
- f) There will be a maximum of five Awards presented in any one year, with no more than one Award being awarded in each of the five categories noted in part 4.3c), above.
- g) The nominators and nominees will be advised of the status of their nomination.
- h) Successful nominees will be presented with the Award by the Mayor, on behalf of the City Council, at the closest possible meeting date to December 10 – Human Rights Day.
- i) The Award shall be comprised of an appropriately worded plaque provided by the Diversity, Inclusion and Anti-Oppression Advisory Committee.

APPENDIX B19

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-49-245 being
“Corporate Plaques and Recognitions 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-49-245 being “Corporate Plaques and Recognitions Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-49-245 being “Corporate Plaques and Recognitions Policy” is hereby amended by deleting Appendix “D(1)” to CPOL.-49-245 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: Corporate Plaques and Recognitions Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-49-245)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the general guidelines for the receipt and issuance of corporate plaques and recognitions.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This Council policy applies to:
- all gifts, certificates, plaques and other forms of recognition presented to the City of London;
 - heritage designation plaques identifying designated buildings in the City of London
 - recognition plaques issued by City Council for the Diversity, Race Relations and Inclusivity Award
 - recognition plaques issued by City Council for the Outstanding London Ambassador Award

4. The Policy

- 4.1 All gifts, certificates, plaques and other forms of recognition presented to the City of London from time to time shall be placed in the control of the City Clerk for cataloguing, and for display, storage and maintenance as appropriate.
- 4.2 Separate individual plaques shall be issued by the London Advisory Committee on Heritage to identify designated buildings in the community as being of architectural significance.
- 4.3 Separate individual plaques shall be issued by City Council in recognition of recipients of the Diversity, Race Relations and Inclusivity Award.
- 4.4 Separate individual plaques shall be issued by City Council in recognition of recipients of the Outstanding London Ambassador Award.

APPENDIX B20

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-50-246 being
“Outstanding London Ambassador Award 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-50-246 being “Outstanding London Ambassador Award Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-50-246 being “Outstanding London Ambassador Award Policy” is hereby amended by deleting Appendix “D(2)” to CPOL.-50-246 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Outstanding London Ambassador Award Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-50-246)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes a City Council award to recognize an individual, business or organization in recognition of outstanding contributions that bring a positive national and international recognition to London that may result in encouraging people to move to London, businesses to invest in London, or encourage people to visit London.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This Council policy applies to the nominator, Nominating Committee, as well as eligible nominees.

4. The Policy

4.1 Nominating Committee

The Nominating Committee shall be comprised of the City of London's Senior Leadership Team.

4.2 Eligibility Requirements

- a) A nominee may be an individual, business or organization that brings a positive national and international recognition to London that may result in encouraging people to move to London, businesses to invest in London, or people to visit London.
- b) An individual, business or organization shall only be eligible to receive the Outstanding London Ambassador Award once.

4.3 Award Process

- a) All Londoners, local boards, commissions and agencies, and the London Chamber of Commerce shall be invited to submit their nominations using the Nomination Form available on the City's website or obtained through the City Clerk's Office, 3rd Floor, City Hall, 300 Dufferin Avenue.
- b) All nominations shall be submitted by October 31st each year, for consideration by the Nominating Committee.
- c) The Nominating Committee, when deliberating on the nominees for the Outstanding London Ambassador Award, shall consider the degree to which the individual, organization or business has brought positive recognition to London and the resulting benefits to the City of London.
- d) The Nominating Committee shall recommend one nominee to City Council, via the appropriate Standing Committee.
- e) There will be a maximum of one Award presented each year.
- f) The successful nominee will be presented with the Award by the Mayor, on behalf of City Council, at the first Council meeting in January following the nomination deadline.
- g) The Award shall be comprised of a lapel pin, as well as the posting of the recipient's name on a designated plaque at City Hall.

APPENDIX B21

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-25-221 being
“Soliciting Funds in City Hall 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-25-221 being “Soliciting Funds in City Hall Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-25-221 being “Soliciting Funds in City Hall Policy” is hereby amended by deleting Appendix “C(13)” to CPOL.-25-221 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Soliciting Funds in City Hall Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-25-221)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the general guidelines for soliciting funds in City Hall

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy applies to any individual or group seeking to solicit funds in City Hall.

4. The Policy

4.1 The City Clerk shall be responsible for approving or denying any requests to solicit funds in City Hall.

4.2 Requests to solicit funds in City Hall shall only be considered if the requestor is a registered charitable organization whose mission is in keeping with the City of London's established values.

4.3 Requestors who have been approved by the City Clerk to solicit funds in City Hall shall be confined to the lower level and/or basement lobby areas of City Hall and shall be limited to one business day per calendar year, between the hours of 7:30 AM and 9:00 AM.

APPENDIX B22

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-26-222 being
“Naming/Re-naming or Dedicating of Municipal
Property, Buildings and Park Elements”.

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-26-222 being “Naming/Re-naming or Dedicating of Municipal Property, Buildings and Park Elements” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-26-222 being “Naming/Re-naming or Dedicating of Municipal Property, Buildings and Park Elements” is hereby amended by deleting Appendix “C(14)” to CPOL.-26-222 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Naming/Re-naming or Dedicating of Municipal Property, Buildings and Park Elements Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-26-222)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the general guidelines for approving the naming/renaming or dedication of municipal property, buildings and park elements by Municipal Council.

2. Definitions

For the purpose of this policy:

- 2.1 **Municipal property and buildings** – shall mean all real property including unimproved lands, buildings and structures owned by the City including but not limited to dedicated parkland, open space, recreational facilities, bridges, operations facilities and administrative office buildings.
- 2.2 **Park Elements** – shall mean substantial structures or recreational aspects of a park such as trails, ball diamonds, gardens, playgrounds, washrooms and water elements.

3. Applicability

This policy applies to the following five (5) main types of situations that could initiate a request for a naming/renaming or dedicating of municipal property, buildings or park elements:

- a) an opening or re-opening of a building or bridge, which may require donations;
- b) a civic recognition;
- c) international, national or provincial events/competitions;
- d) new park development; and,
- e) corporate sponsorship.

This policy does not cover:

- a) the recognition of Fallen Fire Fighters or Fire Station namings; and/or
- b) individual naming dedications; and/or
- c) commemorative street naming.

4. The Policy

4.1 Intent

The intent of this Policy is to:

- a) continue the current traditional practice of naming municipal property, buildings and park elements after significant geographical, neighbourhood and historical elements;
- b) recognize, on an exception basis, significant contributions that organizations (individuals may be considered in special circumstances with the exception of elected officials currently in office) have made to the public life and the well-being of the people of London; and
- c) provide direction on how to apply for approval to name, re-name or dedicate major external municipal property, buildings or park elements.

In instances where a naming request has been proposed as a result of receiving a significant donation toward the acquisition, creation or redevelopment of the property, building or element, consideration will be given to the sponsorship contribution being provided.

4.2 Naming Principles

- a) Names shall be unique; name duplication and similar sounding names shall be avoided.
- b) Names should give a sense of place, continuity, belonging and celebrate the distinguishing characteristics and uniqueness of London.
- c) Names should maintain a long standing local area identification with the residents of London.
- d) Names shall be understandable to the majority of Londoners.
- e) Names shall not be discriminatory, derogatory or political in nature.
- f) Names shall be consistent with any other applicable City of London policies and naming standards.
- g) Names shall assist with emergency response situations by being consistent with street names and geographical locations.
- h) The form of signage shall be consistent with corporate signage and plaque guidelines.
- i) The cost associated with signage will be the responsibility of the City when the naming/re-naming has been initiated by the City and will be the responsibility of the community when the naming/re-naming has been initiated by the community.
- j) The City of London makes all final decisions concerning what is placed or occurs on City property and in its buildings.
- k) Names associated with a sponsorship will be considered when a donation amount relates to the construction value of an element.
- l) Naming or renaming shall not be made after an elected official currently in office.
- m) Council shall retain the right not to name certain facilities of broad community importance such as (but not limited to) City Hall.

4.3 Naming Preferences

- a) Priority (in order of preference) shall be given to continuing the current naming/re-naming practice of City of London property and buildings after:
 - i) the area or planning district in which the property or building is located to provide a geographical association to help the public to locate a park, bridge or building more easily;
 - ii) the most dominant "constant feature either within or nearby" the selected site such as an associated significant ecological or natural resource feature
 - iii) a historical name related to London's heritage and/or historical folklore;
 - iv) an event or person of international, national or provincial significance; or
 - v) an organization (or individual, with the exception of elected officials currently in office or fallen fire fighter) to recognize:
 - particular activities and significant contributions to the London community and/or society; and/or
 - outstanding contributions and/or sponsorships made toward the development and/or enhancement of a property or building.
- b) Preference shall be given to naming City of London Elements (within parks or buildings) after an organization or an individual.

Specific Criteria When Naming/Re-naming after an Organization or an Individual

When a name of an organization (or an individual) is being considered the following criteria should apply:

- i) the contribution they have made to the public life and the well-being of London;
- ii) the sponsorship contribution made toward the acquisition, creation or redevelopment of the property, building or feature;
- iii) a direct relationship or association that existed between the place of residence of the individual and the property, building or element to be named;
- iv) where a property, building or element is named after a sports or entertainment celebrity the type of element shall be associated with the celebrity; and,
- v) where the name of an individual or organization is so used, approval shall be obtained from the individual (their family) or the organization for such naming.

4.4 Types of Situations Applicable to Naming

a) An Opening or Re-opening of a Building or Bridge

For the opening or re-opening of a building which may be the result of a capital building campaign, Council approves the proposed business plan which includes a plan for contribution recognition upon receipt of public donations. Citizens of London contribute to this campaign for numerous reasons including being recognized through receiving appreciation from the City and/or having their name located on a plaque board or on a particular feature of the building or park. Donations made for a building campaign are usually collected by a community group toward the project.

The names of the Mayor, the appropriate Standing Committee of Council and Ward Councillors may be noted on a recognition plaque when the names are those of the Council which approved the project.

b) A Civic Recognition

A civic recognition may be requested by a member of the public or may be initiated by the City itself to recognize a group or an individual's outstanding accomplishments, involvement or work in the local community or in a provincial or national forum.

c) International, National or Provincial Events/Competitions

A naming or re-naming of a building or an amenity within it in recognition of it being a venue for international, national or provincial events/competitions will occur to fulfill a condition agreed to by the City as part of its hosting obligations. Council may also consider the naming or re-naming of such a facility or amenity to recognize an individual, group or corporation who donates significantly toward meeting the cost of hosting the event/competition. The naming or re-naming may be for the duration of a specified number of years, at any time after which Council in its sole discretion may re-name the building or amenity.

d) New Park Development

Planning Services is responsible for naming new parks which are developed as part of the subdivision development process. The names selected for new parks continue the current naming/re-naming practice adopting the area, subdivision or planning district name in which the park is located to provide a geographical association to help the public to locate the park more easily.

e) Corporate Sponsorship

The City's Corporate Sponsorship and Advertising Policy outlines the situations and specific application criteria. It applies to all business relationships between The Corporation of the City of London and businesses which contribute either financially or in-kind to City programs, services or facilities in return for recognition, public acknowledgement or other promotional considerations. Only for cases of sponsorship which have an associated sunset clause, will a corporate name or advertising brand be used.

4.5 Types of Naming Situations Not Covered by This Policy

The following situations are not covered by this policy:

a) the recognition of fallen Fire Fighters and Fire Stations; and/or

b) Individual naming dedications made to a person to celebrate a special occasion such as:

- a birth;
- a marriage;
- an anniversary;
- an accomplishment; or,
- a major landmark event, person(s) such as a retirement or happenings.

Options for individual naming dedications can be found for naming of park features covered under The Commemorative Park Bench and Tree Program and The Storybook Gardens Brick Naming Program. Commemorative street namings are addressed through the Commemorative Street Name program. Requests for naming dedications will not be granted for memorial purposes normally found at cemeteries nor will they be granted for elected officials currently in office.

4.6 Application and Review Process

- a) Applicant(s) shall submit a written request for a civic naming to the City Clerk. The written request shall include the following:
- Background information concerning the rationale for consideration of the request.
 - Biographical information if named after an organization (or an individual).
 - Documentation including letters from organizations and individuals providing substantial support for the request. The applicant(s) is responsible for securing consensus within the community with respect to the application. Opposition to the application must be addressed and resolved by the applicant(s).
- b) Upon receipt of an application, the City Clerk shall:
- review the application for conformity with this policy;
 - circulate the application to the appropriate internal stakeholders for comment on the suitability of the application, which would include:
 - the Municipal Addressing Advisory Group (MAAG) which is comprised of representatives from Development and Compliance Services, City Clerk's Office, Environment and Engineering Services and Emergency Service providers (Fire, Police and Ambulance) to review all proposed external civic names for the purpose of minimizing confusion for emergency response situations;
 - Planning Services, Parks and Recreation, and Neighbourhood, Children and Fire Services - for new park development naming, park re-naming and park elements;
 - Environmental and Engineering Services - for bridge naming;
 - Parks and Recreation and Neighbourhood, Children and Fire Services - for recreational facility naming;
 - consult with external stakeholders in the community and identify possible objections and/or positive responses and determine the level of support for the requested civic naming;
 - determine whether or not a special event is planned to coincide with a formal naming ceremony;
 - submit a report with the appropriate recommendation to the appropriate Standing Committee of Council to either approve or not approve the naming/re-naming as requested by the applicant(s). The report shall include, as applicable, the following:
 - a recommendation;
 - rationale for recommended action;
 - confirmation of the individual's/organization's endorsement and community consensus;
 - whether or not a ceremony is required;
 - timing of the ceremony;
 - future contributions to financing and ongoing maintenance (if applicable);
 - the duration of time the name will be used (if applicable); and,
 - other associated expenses with respect to signs, ceremonies, record keeping and how these costs will be addressed.

4.7 Special Circumstances

There may be special occasions where the above noted review process would not be followed (i.e., for a surprise civic naming). As an example, contests for naming are considered as a special circumstance requiring approval by the appropriate Standing Committee of Council.

4.8 Civic Renaming

The City of London believes that existing names have a historical significance and place within the community and should not be changed unless it is an exceptional situation and it can be proven that the majority of the local community is in support of the change. Each application for re-naming will be examined on a case by case basis, and the following considerations shall apply:

- a) Priority for re-naming will be granted by City Council in instances where a re-naming is a condition of the awarding of an International, National or Provincial Event/Competition and/or the duration of time agreed upon as part of this condition has expired.
- b) Civic names may be changed if there are specific circumstances that arise which warrant a review.
- c) The re-naming of an entire building or property could include:
 - adding another new name to the existing name; or,
 - subdividing or portioning off a particular property or feature to be given a new name or sub name; or,
 - placing the names of an organization (or individuals) on a plaque to recognize their contributions if it is found that it is inappropriate to name a particular property or building in its entirety.

4.9 Corporate Sponsorship Naming/Renaming

In addition to the general civic renaming considerations noted in part 4.8, above, corporate sponsorship naming/renaming initiatives shall:

- a) have a specific sunset clause associated with the length of time that the corporate name will be used, with no guarantee of perpetuity;
- b) consider the significance of the contribution made relative to the construction and operating cost of the property that is the subject of the naming;
- c) require the sponsor to pay for the signage, unless the City has requested the name change;
- d) not be limited to this policy in those circumstances where there are more appropriate ways of recognizing a sponsorship, such as internal facility naming, the dedication of plaques at a facility such as the use of donor plaque boards, or the purchase of park features such as trees, benches and picnic tables.

APPENDIX B23

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-27-223 being
“City of London Days at the Budweiser Gardens
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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-27-223 being “City of London Days at the Budweiser Gardens Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-27-223 being “City of London Days at the Budweiser Gardens Policy” is hereby amended by deleting Appendix “C(15)” to CPOL.-27-223 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: City of London Days at the Budweiser Gardens Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-27-223)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the general guidelines for utilization of City of London Days at the Budweiser Gardens for the purpose of up to five community-sponsored events on a "rent-free basis" provided the City or event sponsor pay for all direct and out-of-pocket expense incurred by the London Civic Centre Corporation.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy applies to event(s) which meet the eligibility criteria set out in this policy.

4. The Policy

4.1 Eligible Events

The following types of events will be eligible:

- a) City of London-sponsored events such as opening ceremonies for sporting events and major community celebrations, which have not previously used the facility in accordance with normal rental or use arrangements.
- b) Not-for-profit sporting events which are of a provincial or national significance, including championships for high schools, colleges or universities located within the City of London, which have not previously used the facility in accordance with normal rental or use arrangements.
- c) Major not-for-profit civic events which are celebrations or charity events of a local, community-wide nature and have a direct benefit to the London community, which have not previously used the facility in accordance with normal rental or use arrangements.

4.2 Maximum Event Days

- a) The City is limited to five event days each year.
- b) No group can have more than one event day per year.
- c) No group can have more than two event days over a five-year consecutive period, with the exception of the annual United Way Harvest Lunch and Campaign Kick-Off, unless an exemption is approved by the Municipal Council due to unique circumstances.

4.3 Event Dates

The City of London shall provide sixty (60) days prior notice to Budweiser Gardens for use of the facility for a community-sponsored event, and the date of the event may not conflict or compete with events previously arranged or booked by Budweiser Gardens.

4.4 Requirements of User Groups

- a) The user group will be responsible for all direct and out-of-pocket expenses which are incurred.
- b) The user group will be responsible for entering into an agreement with the Budweiser Gardens for use of the facility and all obligations arising from that agreement.

- c) The user group will be responsible for all advertising, sponsorship and ticketing for the event subject to any conditions set out by the Budweiser Gardens.

4.5 City Contact

The City Clerk will be the primary contact for user groups and will be delegated responsibility to administer this policy.

4.6 Event Approval

City Council approval is required for all City of London Days at Budweiser Gardens events.

APPENDIX B24

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-28-224 being
“Use of Civic Square by Centennial Hall Events
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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-28-224 being “Use of Civic Square by Centennial Hall Events Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-28-224 being “Use of Civic Square by Centennial Hall Events Policy” is hereby amended by deleting Appendix “C(17)” to CPOL.-28-224 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Use of Civic Square by Centennial Hall Events Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-28-224)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the authority to approve the use of part of the Civic Square for display purposes for events held at Centennial Hall.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy applies to the City Clerk.

4. The Policy

4.1 The City Clerk shall be delegated authority to approve, at their discretion, the use of a part of the Civic Square for display purposes (e.g. equipment and exhibits) for events held at Centennial Hall.

APPENDIX B26

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-55-287
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-55-287 being “Placement of Public Submissions on Standing Committee Agendas” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-55-287 being “Placement of Public Submissions on Standing Committee Agendas” is hereby amended by deleting Appendix ‘D(2)’ to CPOL.-55-287 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Placement of Public Submissions on Standing Committee Agendas Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-55-287)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the protocol for handling public submissions for Standing Committee Agendas on operational matters.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy applies to all submissions made by a member of the public for inclusion on an agenda of a Standing Committee of City Council.

4. The Policy

4.1 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.

APPENDIX B27

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-56-288 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-56-288 being “Inter-Municipal Endorsement of Council Resolutions” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-56-288 being “Inter-Municipal Endorsement of Council Resolutions” is hereby amended by deleting Appendix ‘D(4)’ to CPOL.-56-288 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Inter-Municipal Endorsement of Council Resolutions Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-56-288)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the protocol for handling inter-municipal endorsement of Council resolutions.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy applies to Council resolutions of the City of London and of other municipalities.

4. The Policy

- 4.1 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 local Members of the Legislative Assembly of Ontario, as appropriate, and to the relevant federal, provincial and municipal associations, where appropriate.

In turn, resolutions received from other municipalities for endorsement by the City of London 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 federal, provincial and municipal association or, if it deems it necessary to do so, directly to the relevant Minister(s) of the Federal or Provincial Governments.

APPENDIX B28

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-59-291 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-59-291 being “General Policy for Advisory Committees” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-59-291 being “General Policy for Advisory Committees” is hereby amended by deleting Appendix ‘D(7)’ to CPOL.-59-291 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: General Policy for Advisory Committees

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-59-291)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the various expectations and protocols for City Council's Advisory Committees.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy applies to any Advisory Committee of the City Council.

4. The Policy

4.1 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.

4.2 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.

4.3 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 or sectoral 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 and the City Clerk shall have the delegated authority to confirm those appointments on behalf of the Municipal Council. 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, with the exception of those appointments otherwise delegated to the City Clerk. 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 and sectoral 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, with the exception of Advisory Committee members who represent a particular organization/agency. Advisory Committee members who represent a particular organization/agency shall be confirmed by the City Clerk, on behalf of 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 citizen-at-large and sectoral 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.

4.4 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. No member of the Striking Committee noted in part 4.3 shall be eligible for appointment to an Advisory Committee for the term for which that Striking Committee is recommending appointments.

4.5 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.

4.6 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.

4.7 Remuneration

Advisory Committee members shall serve without remuneration.

4.8 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.

4.9 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.

4.10 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.

4.11 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 issued by the London Advisory Committee on Heritage, communication supports for persons with disabilities, 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.

4.12 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.

4.13 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.

4.14 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.

4.15 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.

4.16 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.

4.17 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.

4.18 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. Any request of staff included in an Advisory Committee report shall be directed through the appropriate Service Area head.

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.

4.19 Reporting Time Frames for Matters Referred to Advisory Committees

- a) 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:
 - i) 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;

- ii) 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;
- iii) 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:
 - A) 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
 - B) 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;
- iv) 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
- v) 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.

4.20 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.

4.21 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.

4.22 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.

4.23 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.).

APPENDIX B29

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-60-292 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-60-292 being “Delegations by Union Executives to Standing Committees” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-60-292 being “Delegations by Union Executives to Standing Committees” is hereby amended by deleting Appendix ‘D(8)’ to CPOL.-60-292 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Delegations by Union Executives to Standing Committees Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-60-292)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the protocol for a Union Executive to appear as a delegation at a Standing Committee meeting.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 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.

This policy is not to be construed, in any way, to circumvent the normal labour relations practices or contractual obligations of the parties.

4. The Policy

- 4.1 In the interest of continuing to enhance the relationship between the City, its employees and the Unions representing the employees, the Executive of each Union may appear as a delegation at a Standing Committee meeting 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.

APPENDIX B30

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-62-294 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-62-294 being “Establishment of Task Forces and Working Groups” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-62-294 being “Establishment of Task Forces and Working Groups” is hereby amended by deleting Appendix ‘D(10)’ to CPOL.-62-294 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Establishment of Task Forces and Working Groups Policy
Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-62-294)
Last Review Date: June 25, 2018
Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the protocol for Members of Council to establish Task Forces or Working Groups.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to Members of Council. This policy is in no way intended to prevent individual Members of Council 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.

4. The Policy

- 4.1 When individual Members of Council believe that it is desirable and necessary to establish a Task Force or Working Group to address a particular issue or topic, they shall seek the Municipal Council's approval, through the appropriate Standing Committee, for the establishment of such bodies.

Working Groups and Task Forces will not be provided with support services by the Civic Administration unless explicit approval has been given by City Council.

APPENDIX B31

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-66-298 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-66-298 being “Allocation of Councillors’ Offices” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-66-298 being “Allocation of Councillors’ Offices” is hereby amended by deleting Appendix ‘D(14)’ to CPOL.-66-298 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Allocation of Councillors' Offices Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-66-298)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the protocol for the assignment of City Hall offices to Ward Councillors.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to all City of London Ward Councillors.

4. The Policy

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

APPENDIX B32

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-230-519 being "Policy for the Use of City of London Resources for Municipal Election Purposes".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-230-519 being "Policy for the Use of City of London Resources for Municipal Election Purposes" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-230-519 being "Policy for the Use of City of London Resources for Municipal Election Purposes" is hereby amended by deleting Appendix "A" to CPOL.-230-519 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Policy for the Use of City of London Resources for Municipal Election Purposes

Legislative History: Adopted October 30, 2017 (By-law No. CPOL.-230-519)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy clarifies the restrictions pertaining to the use of City of London resources for directly or indirectly benefitting a municipal election campaign.

2. Definitions

For the purposes of this policy,

- 2.1 **Campaign-related activities** – shall mean any activities that may directly or indirectly benefit a municipal election campaign.
- 2.2 **City** - shall mean The Corporation of the City of London.
- 2.3 **City resources** - shall include, but not be limited to City employees, events organized or funded solely or jointly by the City, City facilities, City funds, City information and City infrastructure.

3. Applicability

- 3.1 This policy shall apply to the use of City resources by any party in a manner that would directly or indirectly benefit a municipal election campaign.

4. The Policy

- 4.1 Without exception, all parties shall adhere to the applicable provisions of the *Municipal Elections Act, 1996*, as amended, the Declaration of Office for Members of Council, the Code of Conduct for Members of Council and the Code of Conduct for Employees, regarding the use of City resources.
- 4.2 City resources, assets and funding that shall not be used by any party to directly or indirectly benefit a municipal election campaign include, but are not limited to:
- City staff
 - City property, facilities and/or equipment, except in those cases where use of the property, facilities and/or equipment are rented in accordance with City procedures applicable to the general public and/or use of the property, facilities and/or equipment is permitted under other legislation (e.g. Election Sign By-law, etc.)
 - City funds
 - Print or electronic materials paid for by the City promoting an individual
 - Any photos or videos produced by the City, including electronic images and videos
 - City mail room supplies and services
 - City print room supplies and services
 - City technical services and equipment (e.g. computers, laptops, mobile devices and applications such as voice mail, e-mail, Internet and Intranet, City web pages and domains, etc.)
 - City brand (e.g. logos, crest, etc.)
 - Lists and files produced using City resources, with the exception of lists produced for election purposes in accordance with the *Municipal Elections Act, 1996* (e.g. Voters List).
- 4.3 City staff shall not canvass or actively work in support of a municipal candidate during business hours unless they are on paid or unpaid leave.
- 4.4 Campaign-related signs or materials shall not be displayed at or in City-owned or leased facilities, unless otherwise permitted by legislation, and, where permitted for display, shall comply with the provisions of the Election Sign By-law.

- 4.5 No individual shall distribute, in print or electronic form, material paid for by the City that illustrates, references, promotes, profiles or otherwise relays information about an individual that may directly or indirectly benefit a municipal election campaign. This does not limit a Member of Council from communicating with constituents on matters of interest that are relevant to the business of the City and fall within the fiduciary responsibility of the Member of Council, providing that these do not promote the personal interests of a Member of Council.
- 4.6 No individual shall host a town hall or ward meeting that would directly or indirectly benefit a municipal election campaign. Rather, town hall or ward meetings shall be focused on the interests of the constituency regarding City business.
- 4.7 Nothing in this Policy is intended to prohibit a Member of Council from performing their job as an elected representative to represent the interests of their constituents regarding City business, during their period of office.

APPENDIX B33

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-68-300 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-68-300 being “Issuance of Computer Equipment to Council Members” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-68-300 being “Issuance of Computer Equipment to Council Members” is hereby amended by deleting Appendix ‘D(16)’ to CPOL.-68-300 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Issuance of Computer Equipment to Council Members Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-68-300)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the corporate standard for computer equipment and software for Council Members.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to all Council Members.

4. The Policy

4.1 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.).

4.2 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.

4.3 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.

4.4 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.

4.5 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.).

4.6 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.

4.7 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.

APPENDIX B34

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-69-301 being
"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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-69-301 being "Code of Conduct for Members of Council" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-69-301 being "Code of Conduct for Members of Council" is hereby amended by deleting Appendix 'D(17)' to CPOL.-69-301 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: Code of Conduct for Members of Council

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-69-301)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This Code of Conduct is established under the authority of Part V.1 – Accountability and Transparency of the *Municipal Act, 2001*.

2. Definitions

In this Code of Conduct:

2.1 **Apparent conflict of interest** – shall mean 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.

2.2 **Child** – shall mean 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.

2.3 **Code** – shall mean this Code of Conduct.

2.4 **Corporation** - shall mean The Corporation of the City of London.

2.5 **Council** - shall mean the Council of The Corporation of the City of London.

2.6 **Family member** - shall mean a child, parent or a spouse.

2.7 **Member** - shall mean a Member of Council and includes the Mayor.

2.8 **Parent** – shall mean 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.

2.9 **Spouse** - shall mean a person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage.

3. Applicability

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

4. The Code

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 their 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, they 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 their official duties in the public interest.

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

- a) use the influence of their office for any purpose other than for the exercise of their 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 their future employment by a person or entity to detrimentally affect the performance of their 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 their 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.

APPENDIX B35

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-70-302 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-70-302 being “Remuneration for Elected Officials and Appointed Citizen Members” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-70-302 being “Remuneration for Elected Officials and Appointed Citizen Members” is hereby amended by deleting Appendix ‘D(18)’ to CPOL.-70-302 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: Remuneration for Elected Officials and Appointed Citizen Members Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-70-302)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes how the remuneration for City of London elected officials and appointed citizen members of local boards and commissions, where such remuneration is paid by the City of London, is adjusted.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to City of London elected officials and appointed citizen members of local boards and commissions whose remuneration is paid by the City of London.

4. The Policy

- 4.1 The remuneration for City of London elected officials and appointed citizen members of local boards and commissions, where stipends are paid by the City of London, shall be adjusted annually on January 1st by the percentage increase reflected in the Labour Index (monthly Index, Table 3), on the understanding that:
- a) if such an index reflects a negative percentage, the annual adjustment to the remuneration for City of London elected officials and appointed citizen members will be 0%; and
 - b) 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 remuneration for elected officials and appointed citizen members will be no greater than the increase in the Consumer Price Index, Ontario; and
 - c) in those years where non-union staff wages are frozen, no increase shall be applied.

APPENDIX B36

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-71-303 being “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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-71-303 being “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-71-303 being “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions” is hereby amended by deleting Appendix ‘D(19)’ to CPOL.-71-303 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-71-303)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy clarifies how Council Members are to be appointed to Standing Committees of Council and various Civic Boards and Commissions.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to all City of London Council Members.

4. The Policy

4.1 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.

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

The City Clerk, or designate, 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, or designate, 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, or designate, 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.

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

The City Clerk, or designate, 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, or designate, 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, or designate, 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.

4.4 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, or designate, 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*.

APPENDIX B37

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-72-304 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-72-304 being “Review of Ward Boundaries” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-72-304 being “Review of Ward Boundaries” is hereby amended by deleting Appendix ‘D(20)’ to CPOL.-72-304 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: Review of Ward Boundaries Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-72-304)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy sets out the requirements for the regular review of ward boundaries to ensure that they remain relevant.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to the City Clerk.

4. The Policy

- 4.1 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 the 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, the City Clerk 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.

APPENDIX B38

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-74-306 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-74-306 being “Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-74-306 being “Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy” is hereby amended by deleting Appendix ‘D(22)’ to CPOL.-74-306 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

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

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-74-306)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy sets out the requirements for the audio recording of Municipal Council and Standing Committee In Closed Session Meetings Policy.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to all in closed session meetings of Municipal Council and its Standing Committees.

4. The Policy

4.1 General

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:

4.2 Procedure

- a) 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.
- b) 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.
- c) 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.
- d) 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.
- e) 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.
- f) The City Clerk shall be authorized to release an audio recording of a closed meeting only to:
 - i) 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;
 - ii) the City Solicitor, or designate, for the purpose of providing solicitor-client advice with respect to the contents of a recording; and,
 - iii) any additional party authorized by the Municipal Council.

APPENDIX B39

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-77-309 being
“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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-77-309 being “Legal Services and Accounts” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-77-309 being “Legal Services and Accounts” is hereby amended by deleting Appendix ‘D(25)’ to CPOL.-77-309 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Legal Services and Accounts

Legislative History: Enacted August 22, 2017 (By-law No. CPOL.-77-309)

Last Review Date: June 25, 2018

Service Area Lead: Managing Director of Legal & Corporate Services and City Solicitor

1. Policy Statement

1.1. This policy establishes the functions and duties of the City Solicitor's Office.

2. Definitions

In this policy,

2.1. "**City Solicitor**" means the person appointed by By-law, from time to time, to the position of Managing Director, Corporate Services & City Solicitor;

2.2. "**City Solicitor's Office**" includes those employees, agents and other persons to whom any of the City Solicitor's responsibilities have been implicitly or explicitly delegated.

2.3. "**Corporation**" means the Corporation of the City of London and includes the Council, its Committees, and the several departments of the civic administration.

2.4. "**Local board**" has the meaning set out in the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time.

3. Applicability

This Policy applies to the responsibilities undertaken by the City Solicitor's Office.

4. The Policy

Functions and Duties

4.1. The functions and duties of the City Solicitor's Office shall be to:

- a) provide legal advice to the Corporation in matters of law connected with and within the authority or jurisdiction of the Corporation;
- b) act as counsel for the Corporation in administrative, civil and criminal proceedings;
- c) 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) discharge such other responsibilities as are at any time assigned to it.

4.2. Notwithstanding Section 2, the City Solicitor's Office shall not act as 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 and the rules and regulations of The Law Society of Ontario.

4.3. Unless otherwise directed by the Council, the City Solicitor's Office shall not be required to advise any member of Council as to whether the member 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.

4.4.

- a) Where it is in the best interests of the Corporation to do so, the City Solicitor's Office may retain outside legal 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, or where the Council has directed that such a person or persons be engaged, 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 provide expert

opinion evidence and their services and disbursements may be paid out of the same provision in the current budget as for the payment of outside legal counsel, or such other manner as the Council directs.

- 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) time expended;
 - ii) complexity of the matters dealt with;
 - iii) degree of responsibility assumed;
 - iv) monetary value of the matter in issue;
 - v) importance of the matter to the Corporation;
 - vi) degree of skill and competence demonstrated; and
 - vii) 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 the appropriate Court or Official.

Settlement of Claims

- 4.5. A claim or demand of whatever nature by or against the Corporation which does not exceed \$10,000.00 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 claims.

Action When Time Constrained

- 4.6. Where it is not practicable, prior to the expiration of the time limited by or under any Act or Order for doing any act or taking any action conducive to the interests of the Corporation, to obtain instructions from the Council, the City Manager, or the City Solicitor, the City Solicitor's Office may do or take such actions (including the payment of any fee relating thereto) and shall report the reasons and actions forthwith to the City Solicitor for such further action as may be considered appropriate.

Costs To and Against the City

- 4.7. The City Solicitor's Office shall seek an award of costs to the Corporation in any matter where costs may be awarded to a successful litigant, unless the Council or the City Solicitor have directed otherwise.
- 4.8. 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 unless the Council authorizes the:
 - a) waiver of a demand for costs, or
 - b) acceptance of a specified amount for costs upon such terms, if any, as may be considered appropriate under the circumstances

General

- 4.9. The City Solicitor may make recommendations to Council on any matter whether or not covered by this policy.
- 4.10. 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 the by-law.

APPENDIX B40

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-190-442 being “Added Staff Recommendations and Committee Reports”.

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-190-442 being “Added Staff Recommendations and Committee Reports” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-190-442 being “Added Staff Recommendations and Committee Reports” is hereby amended by deleting Appendix ‘E(1)’ to CPOL.-190-442 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Added Staff Recommendations and Committee Reports Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-190-442)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy sets out the requirements for those situations where urgent circumstances require consideration by a Standing Committee, or the Municipal Council, of an added staff recommendation or an Added Report from a Committee

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to all added submissions to a Standing Committee, or the Municipal Council.

4. The Policy

- 4.1 Where urgent circumstances require consideration by a Standing Committee, or the Municipal Council, of an added staff recommendation or an Added Report from a Standing Committee, the added staff recommendation or Standing Committee Report shall be submitted, in writing, in accordance with the provisions of the Council Procedure By-law. The submission shall include, wherever possible, a written executive summary. When a written executive summary is not possible, a verbal summary shall be provided by the appropriate party. In addition, the Council Members shall be permitted a brief recess, if required, to review the submission, recognizing that they may also choose to defer consideration of the matter to a future date in accordance with the Council Procedure By-law.

APPENDIX B41

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-105-357
being "Official City Flag".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-105-357 being "Official City Flag" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-105-357 being "Official City Flag" is hereby amended by deleting Appendix 'C(23)' to CPOL.-105-357 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Official City Flag Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-105-357)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy identifies the official flag for The Corporation of the City of London.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to The Corporation of the City of London and its representatives.

4. The Policy

4.1 The City of London shall, for most purposes, use its corporate logo flag consisting of the City logo on the right hand side and a green and silver design element on the left hand side. However, in circumstances requiring more formal protocol for ceremonial representation purposes, the City of London shall use its official flag consisting of a field of Royal Blue silk, measuring 36" x 48", on which is displayed the City of London coat of arms in its natural colours, measuring 15" high x 15" wide.

APPENDIX B42

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-109-361
being "Landing of Helicopters".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-109-361 being "Landing of Helicopters" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-109-361 being "Landing of Helicopters" is hereby amended by deleting Appendix 'C(27)' to CPOL.-109-361 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Landing of Helicopters Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-109-361)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy details the delegation of authority for granting permission to land a helicopter within the limits of the City of London.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to those instances where permission is being sought to land a helicopter within the limits of the City of London.

4. The Policy

- 4.1 At such times permission is sought from the City of London to land a helicopter within the City limits, the City Clerk shall be authorized to give permission, subject to applicable legislative requirements and consultation with the London Police Service.

APPENDIX B43

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-112-364 being "Use of Cenotaph".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-112-364 being "Use of Cenotaph" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-112-364 being "Use of Cenotaph" is hereby amended by deleting Appendix 'C(30)' to CPOL.-112-364 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Use of Cenotaph Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-112-364)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy sets out the requirements for use of the Cenotaph located in Victoria Park, London, Ontario.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to persons seeking to use the Cenotaph.

4. The Policy

- 4.1 The Cenotaph and an area immediately surrounding shall be reserved for observances to honour Canada's war dead and those of Canada's allies who served in any war or peace keeping operation throughout the world.
- 4.2 Groups who intend to gather at the Cenotaph as outlined above, shall notify the City Clerk, by letter, two weeks in advance of their intentions, and the City Clerk shall determine if approval shall be granted for the requested use, only when satisfied that the proposed assembly is for a purpose and with a decorum consistent with the symbolism represented by the Cenotaph.
- 4.3 The management staff person responsible for use of Victoria Park and the City Clerk shall advise one another of known plans for the use of Victoria Park in order to avoid conflict with Cenotaph events.
- 4.4 The process for acquiring permission to gather at the Cenotaph shall be posted on the City of London's website.

APPENDIX B44

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-114-366 being "Flags at 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-114-366 being "Flags at City Hall" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-114-366 being "Flags at City Hall" is hereby amended by deleting Appendix 'C(32)' to CPOL.-114-366 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Flags at City Hall Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-112-364); Amended February 13, 2018 (By-law No. CPOL.-114(a)-63)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy sets out the requirements for the flying of flags at City Hall.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to any person or organization seeking to fly a flag(s) at City Hall.

4. The Policy

4.1 Flags at Front Entrance of City Hall

- a) The following flags shall be permitted to be flown at City Hall on the flag poles over the front entrance of City Hall:
 - i) flags deemed by the City Clerk to be in accordance with the flag etiquette of Canada as established by Heritage Canada (restricted to the flag of the City of London, Canadian provinces, the Canadian flag, the personal flags and standards of the Royal Family and the Governor General and the Lieutenant Governors throughout Canada, the Royal Union flag, and the flags of the United Nations, the North Atlantic Treaty Organization and the Commonwealth); and,
 - ii) an appropriate flag on the occasion of a visiting dignitary, on the day of the dignitary's visit to London City Hall, as a gesture of respect and friendship.

4.2 Flags in City Hall

- a) As an annual observance to recognize the anniversary of the London Township Treaty, the five signatory First Nations (Chippewas of the Thames First Nation, Chippewas of Kettle and Stoney Point First Nation, Walpole Island First Nation, Aamjiwnaang First Nation and Caldwell First Nation) shall be invited to have their flags displayed on September 7th of each year, in City Hall. In the event that September 7 falls on a day on which City Hall is closed, the flags shall be displayed on the first day prior to September 7 that City Hall is open for business.

4.3 Community Flag Pole

- a) The following flags shall be permitted to be flown at City Hall on the Community Flag Pole installed at the northwest corner of City Hall, facing Wellington Street:
 - i) the Canadian flag at such times as there is no flag of a charitable or non-profit organization to be flown as provided for in 4.3a)ii), or at such times as the half-masting of a flag is in order, as provided for under 4.4c), below; and
 - ii) to celebrate achievement, the flag of a charitable or non-profit organization to help increase public awareness of their programs and activities; an organization that has achieved national or international distinction or made a significant contribution to the community, or an organization that has helped to enhance the City of London in a positive manner.

- b) The following guidelines shall be observed for the flying of flags permitted under 4.3a)ii), above:
 - i) flag raisings shall be in connection with a particular event by an organization;
 - ii) no flags of commercial, religious or political organizations shall be permitted;
 - iii) no flags of a group or organization whose undertakings or philosophy are contrary to City of London policies or by-laws, or espouse hatred, violence or racism shall be permitted;
 - iv) an organization's flag shall be flown no more than once per calendar year;
 - v) organizations shall be required to submit flag raising requests on an annual basis;
 - vi) a flag shall be flown for a period of up to one week, or for the duration of the associated event, whichever is less; and,
 - vii) flags shall only be raised and lowered on those business days that City Hall is open.

4.4 General

- a) The City Clerk will administer the policy for the flying of flags at City Hall.
- b) The following guidelines shall apply to resolving conflicts arising from this policy:
 - i) conflicts between the flying of flags in accordance with 4.1a)i) and 4.1a)ii) shall be settled firstly in favour of those flags being flown in accordance with 4.1a)i) and secondly in favour of those flags being flown in accordance with 4.1a)ii);
 - ii) conflicts between the flying of flags in accordance with 4.3a)i) and 4.3a)ii) shall be settled firstly in favour of those flags being flown in accordance with 4.3a)i) and secondly in favour of those flags being flown in accordance with 4.3a)ii);
 - iii) conflicts between the dates requested for flags to be flown by two or more organizations on the Community Flag Pole shall be settled in favour of the organization which first made its request;
 - iv) in the event there is a dispute between an organization and the City Clerk as to the eligibility of a request, the appeal process shall be through the Standing Committee of Council whose mandate it is to deal with such matters, with the Municipal Council having full and final say as to whether or not the request to fly a flag will be granted.
- c) The following guidelines shall be observed for the half-masting of flags on the Community Flag Pole:

The flying of flags at half-mast denotes a period of official mourning or commemoration.

The City of London will fly the Canadian flag on the Community Flag Pole at half-mast in the event of a death or to commemorate a solemn occasion. The Canadian flag will be lowered at the direction of the Mayor. In consultation with the Mayor, the City Clerk will provide instruction to lower the Canadian flag on the Community Flag Pole.

The position of the Canadian flag when flying at half-mast will depend on its size, the length of the mast and its location; but as a general rule, the centre of the Canadian flag shall be exactly half-way down the mast.

The official period of mourning is defined as the day of passing until the day of the funeral.

The Canadian flag will be flown at half-mast on the Community Flag Pole to commemorate the following occasions:

Date	Occasion
April 28	National Day of Mourning for Persons Killed or Injured in the Workplace
August 9	Peacekeepers' Day
Last Sunday in September	National Peace and Police Officers' Memorial Day
November 11	Remembrance Day* * Half-masting shall occur at 11:00 a.m. or according to the prescribed order of service at the Cenotaph.
December 6	National Day of Remembrance and Action On Violence Against Women

APPENDIX B45

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-115-367
being "Issuance of Proclamations".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-115-367 being "Issuance of Proclamations" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-115-367 being "Issuance of Proclamations" is hereby amended by deleting Appendix 'C(33)' to CPOL.-115-367 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Issuance of Proclamations Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-115-367)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy sets out the corporate position with respect to the issuance of proclamations.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to any request for the issuance of proclamations on behalf of the City of London.

4. The Policy

4.1 No proclamations shall be issued on behalf of the City of London, except those required by law to be issued.

APPENDIX B46

Bill No.
2018

By-law No.

A by-law to amend By-law No. A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*.

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 on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001* (the "Council Policy By-law");

AND WHEREAS it is deemed expedient to amend Schedule E – Public Notice Policy to the Public Policy to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being the "Public Notice Policy" is hereby amended by deleting Schedule "E" to By-law No. A.-6151-17 in its entirety and replacing it with the attached new Schedule "E", which shall be Schedule "E" to By-law A.-6151-17.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “E”

Policy Name: Public Notice Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17); Amended July 22, 2008 (By-law No. A.-6151(a)-267); Amended October 3, 2017 (By-law No. A.-6151(q)-486)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 City Council and the Civic Administration acknowledge the importance of having an informed public. This commitment is delineated in the City Council’s values of:

Citizen Engagement: Fostering an environment that invites and encourages citizen participation and engagement; and,

Open and Accountable Government: Being accessible to citizens, listening to their needs and reporting regularly on progress.

This policy describes the circumstances in which notice shall be provided to the public and the form, manner, and times notice shall be given as required under section 270(1)4 of the *Municipal Act, 2001*.

2. Definitions

For the purpose of this policy,

- 2.1 “**City**” – shall mean The Corporation of the City of London
- 2.2 “**Council**” - shall mean the Municipal Council of The Corporation of the City of London
- 2.3 “**Newspaper**” - shall mean a document that:
- a) is printed in sheet form, published at regular intervals of a week or less and circulated to the general public; and
 - b) consists primarily of news of current events of general interest
- 2.4 “**Website**” – shall mean the City of London official website at www.london.ca

3. Applicability

- 3.1 This policy shall apply to notice provided by the City to the public on various matters.

4. The Policy

- 4.1 Notice to the public shall be provided in the circumstances and in the form, manner, and times as follows:
- a) All circumstances set out in Appendix “A”, attached, in the form, manner and times as set out in Appendix “A”;
 - b) If required by any Act or Regulation, in the form, manner and times as prescribed in the Act or Regulation;
 - c) If required by another by-law, in the form, manner and times as set out in the said by-law;
 - d) If directed by Council, in the form, manner and times as specified by Council; or
 - e) In circumstances where, in the opinion of the City Clerk, notice is reasonable and necessary, in the form, manner and times as determined by the City Clerk.
- 4.2 No additional notice shall be required for subsequent meetings where a matter has been deferred or referred to a subsequent meeting by the Council, the Committee of the Whole, the Board of Control or a Standing Committee of the Council.

- 4.3 The notice requirements under this Policy are minimum requirements and the City Clerk may give notice to the public in an extended manner if, in the opinion of the City Clerk, the extended manner is reasonable and necessary in the circumstances.
- 4.4 Where any of the form, manner or times of notice are not specified in Appendix "A", an Act, Regulation or by-law, or where Council directs that notice be given under section 4.1(d), or the City Clerk determines that notice be given under section 4.1(e), the form, manner or times of notice shall be determined by the City Clerk.

**PUBLIC NOTICE POLICY
“APPENDIX A”**

PUBLIC NOTICE REQUIREMENTS		
Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p><u>BUDGET</u> (Section 290, <i>Municipal Act, 2001</i>) Adoption of Annual Operating, Capital, Water and Wastewater Budgets of the City</p> <p>Budget public participation meeting(s)</p>	<p>Notice of Intent to adopt the budget.</p> <p>Notice of public participation meeting(s) with respect to the adoption of the budget.</p>	<p>Notice of intent to adopt the budget shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Council meeting at which the budget will be considered for adoption.</p> <p>Notice of any public participation meetings with respect to the budget shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the public participation meeting.</p>
<p><u>SCHEDULE OF MEETINGS – REGULAR AND SPECIAL</u> (Section 238(2)(2.1), <i>Municipal Act, 2001</i>) Annual Schedule of Regular Council, and Standing Committee Meetings</p> <p>(Section 240, <i>Municipal Act, 2001</i>) Special meetings of Council and Special Standing Committee Meetings</p>	<p>Public notice to advise of the annual schedule of regular meetings of Council and Standing Committees.</p> <p>Public notice to advise of special meetings of Council, and/or Standing Committees.</p>	<p>Notice of the annual schedule of regular meetings of Council and Standing Committees shall be posted on the City’s website in accordance with the Procedure By-law.</p> <p>Notice of any special meetings of Council and/or Standing Committees outside of the annual schedule of regular meetings shall be posted on the City’s website in accordance with the Procedure By-law.</p>
<p><u>FEE OR CHARGE BY-LAW</u> (Section 391, 400(f), <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of a minimum of one Standing Committee meeting to consider the enactment of a fee or charge by-law. The notice shall specify when and where information in regard to such a by-law may be obtained.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a fee or charge by-law shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the meeting at which the fee or charge by-law is to be</p>

	Public notice required to advise of a Council meeting to consider the enactment of fees and charges by-laws regarding items in the Annual Property Tax-Supported Budget and Annual Water Services and Wastewater and Treatment Budgets.	considered. Notice to advise of a Council meeting to consider the enactment of fees and charges by-laws regarding items in the Annual Property Tax-Supported Budget and Annual Water Services and Wastewater and Treatment Budgets shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Council meeting at which the fee or charge by-law is to be considered.
<u>SEIZURE OF PERSONAL PROPERTY – PUBLIC AUCTION</u> Seizure of Personal Property by City Treasurer to recover taxes and costs of the seizure. (Section 351(8), <i>Municipal Act, 2001</i>)	Subject to certain conditions, the Treasurer or their agent may seize personal property to recover taxes and costs of the seizure. The Treasurer or their agent is required to give the public notice of the time and place of public auction and of the name of the person whose personal property is to be sold.	The Treasurer or Treasurer's agent shall give notice of the time and place of public auction of seized personal property to recover taxes and costs of the seizure, together with the name of the person whose personal property has been seized. Notice shall be published once in a newspaper of general circulation in the City of London at least 14 days prior to the auction. One notice sent by regular pre-paid mail, mailed to the sheriff, bailiff, assignee, liquidator, trustee or licensed trustee in bankruptcy a minimum of 21 days prior to the auction.
<u>PROPOSAL TO RESTRUCTURE THE MUNICIPALITY</u> (Section 173, <i>Municipal Act, 2001</i>)	Public notice to advise of the holding of a public meeting before Council votes on whether to support or oppose a restructuring proposal.	Notice to advise of a public meeting to consider a restructuring proposal shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the public meeting at which the restructuring is to be considered.
<u>CHANGE OF NAME OF MUNICIPALITY</u> (Section 187, <i>Municipal Act, 2001</i>)	Public notice to advise of the holding of a Standing Committee meeting to consider the enactment of a by-law to change the municipality's name.	Notice to advise of a Standing Committee meeting to consider the enactment of a by-law to change the municipality's name shall be posted on the City's

		website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.
<u>DISSOLUTION OR CHANGE TO LOCAL BOARD</u> (Section 216, <i>Municipal Act, 2001</i>)	Notice to a local board required to advise of Standing Committee meeting to consider the enactment of a by-law to dissolve or change the local board.	One notice sent by regular, prepaid mail, mailed to the local board a minimum of 14 days prior to the Standing Committee meeting.
<u>CHANGES TO COMPOSITION OF COUNCIL</u> (Section 217, <i>Municipal Act, 2001</i>)	Public notice required to advise of the holding of a public meeting by the Standing Committee designated by Council to consider the matter prior to Council's consideration of changes to the composition of Council.	Notice to advise of the holding of a public meeting by the Standing Committee designated by Council to consider the matter prior to Council's consideration of changes to the composition of Council, shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.

<p><u>ESTABLISHMENT OF WARDS</u> (Section 222, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the Standing Committee designated to first consider the matter prior to the Council's consideration of the enactment of a by-law dividing or re-dividing the wards or dissolving wards.</p>	<p>Notice to advise of a meeting of the Standing Committee designated to first consider the matter prior to the Council's consideration of the enactment of a by-law dividing or re-dividing the wards or dissolving wards, shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p> <p>Notice advising of the passing of a by-law dividing or re-dividing the wards or dissolving wards shall be published once in a newspaper of general circulation in the City of London within 15 days of the passing of the by-law, specifying the last day for filing a notice of appeal.</p>
<p><u>NEW PROCEDURE BY-LAW</u> (Section 238, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of a Standing Committee meeting to consider enactment of a new Procedure By-law or revisions to the existing Procedure By-law.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a new Procedure By-law or revisions to the existing Procedure By-law shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>
<p><u>LICENSING BY-LAW</u> (Section 151, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the intention to consider the enactment of a licensing by-law.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a licensing by-law shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>

<p><u>NAMING OR RENAMING OF A HIGHWAY OR PRIVATE ROAD</u> (Section 11(3), <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the intention to pass a by-law naming or re-naming a private road.</p>	<p>Notice of the intention to pass a by-law to name or rename a private road shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter will be considered.</p>
<p><u>HIGHWAY CLOSURE OR PERMANENT ALTERATION – ACCESS DENIED TO ANY PROPERTY</u></p>	<p>Public notice required to advise all affected property owners of a Standing Committee meeting to consider the enactment of a by-law to close or permanently alter a highway when such closure or permanent alternation would deny access to a property.</p>	<p>One notice sent by registered mail, mailed to the last known address of the affected property owner(s), a minimum of 14 days before the Standing Committee meeting.</p>
<p><u>SALE AND OTHER DISPOSITION OF LAND</u></p>	<p>Public notice required to advise of the intention to sell or otherwise dispose of municipally-owned land.</p>	<p>Notice shall be in accordance with the Sale and Other Disposition of Land Policy.</p>
<p><u>LOW IMPACT PLANNED LIFECYCLE RENEWAL/REPLACEMENT/MAINTENANCE FOR RECREATION FACILITIES AND PARKS INITIATIVES, PROJECTS AND DEVELOPMENTS - AMENITIES AND/OR SMALL STRUCTURES THAT REQUIRE CANCELLATION OF EVENT(S) OR PROGRAM(S) OR RESULTS IN A TEMPORARY CLOSURE OF MORE THAN ONE DAY</u></p>	<p>Public notice to advise users and/or public of the commencement of construction and temporary closure of the space.</p>	<p>Signage onsite a minimum of 2 weeks prior to commencement of work. Notice will indicate nature of work, estimated timing of construction and contact information.</p>
<p><u>REPURPOSING OF EXISTING RECREATION FACILITIES OR PARKS ON A LONG TERM OR PERMANENT BASIS.</u></p>	<p>Public notice to advise users and public of the commencement of construction and temporary closure of the facility or park and of the intended repurposing.</p>	<p>Signage on site, notice posted on the City's website, written notice to the Ward Councillor, Community Association and neighbours within 200 m of site 6 weeks prior to commencement of work.</p> <p>Notice will indicate nature of work, estimated timing of construction and contact information.</p>
<p><u>NEW PARKS</u></p>	<p>Public notice to advise users, the public and neighbours of the commencement of construction of new parks.</p>	<p>Signage on site, notice posted on the City's website, written notice to the Ward Councillor, Community Association and neighbours within 200 m of site a minimum of 2 weeks prior to commencement of work.</p>
<p><u>NEW RECREATIONAL FACILITIES</u></p>	<p>Public notice to advise of the commencement of construction of a new facility.</p>	<p>Signage onsite and notice on the City's website indicating the intention to construct a new facility 3 months in advance of commencement of construction.</p>

<p><u>PARKS AND RECREATION MASTER PLAN AND SPORT STRATEGIES (e.g. SKATEPARK STRATEGY, DOGS OFF LEASH STRATEGY)</u></p>	<p>Public notice to advise of the intention to develop a city-wide initiative or strategy.</p>	<p>Notification published once in a newspaper of general circulation in the City of London and on the City's website of the intention to start development of an initiative or strategy.</p>
<p><u>UNUSUAL CIRCUMSTANCES – RECREATIONAL FACILITIES, PARKS OR STRUCTURES</u> Emergency situations may occur, and in particular when a health and safety concern arises, immediate action is necessary and notification cannot occur prior to the commencement of such work.</p>	<p>No requirement of notice in emergency circumstances.</p>	<p>No notification will be given prior to commencement of emergency work.</p>
<p><u>ENVIRONMENTAL ASSESSMENT TERMS OF REFERENCE</u></p>	<p>Public notice to advise of a Standing Committee meeting to consider the approval of Terms of Reference for an Environmental Assessment and to make the draft Terms of Reference available to the public. Terms of Reference for Environmental Assessments are undertaken when required by provincial legislation.</p>	<p>Notice to advise of a Standing Committee meeting to consider the approval of draft Terms of Reference for an Environmental Assessment shall be posted on the City's website at least 30 days in advance of the Standing Committee meeting at which the matter is to be considered, and a copy of the draft Terms of Reference shall be available on the City's website during the notice period.</p>

APPENDIX B47

Bill No.
2018

By-law No.

A by-law to amend By-law No. A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*.

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 on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001* (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend Schedule F – Accountability and Transparency to the Public Policy to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being the “Accountability and Transparency to the Public Policy”, is hereby amended by deleting Schedule “F” to By-law No. A.-6151-17 in its entirety and replacing it with the attached new Schedule “F”, which shall be Schedule “F” to By-law A.-6151-17.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "F"

Policy Name: Accountability and Transparency to the Public Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 London City Council and the Civic Administration acknowledge the importance of the transparency of its proceedings and accountability for its actions. The City of London has, as its goal, that of an open, accessible, ethical and accountable government. This commitment is further delineated in City Council's values of:

Citizen Engagement: Fostering an environment that invites and encourages citizen participation and engagement.

Open and Accountable Government: Being accessible to citizens, listening to their needs and reporting regularly on progress.

Respect and Integrity: Respecting the diversity of the community, treating people fairly and with dignity and integrity.

Fiscal Responsibility: Investing wisely to achieve the Community's Strategic Priorities while maintaining a healthy financial position.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to City Council and all employees of The Corporation of the City of London.

4. The Policy

- 4.1 City Council shall ensure accountability and transparency of the operations of the municipality, including the activities of senior management, through the use of an accountability and transparency framework comprised of 5 key areas:
- a) Purpose
 - Clearly articulating the vision, mandate, values, strategic priorities and results of the organization in the form of a Council Strategic Plan
 - Engaging in activities that are consistent with the Council Strategic Plan
 - b) Decision Making
 - Undertaking a decision making process that is transparent and accessible to the public
 - Engaging effectively and openly with the public and other stakeholders
 - c) Communication with the Public
 - Communicating with the public so that they are able to participate effectively
 - Taking into consideration the needs of our audience, when making information public, through the use of different mediums and technology
 - Following all applicable legislation governing the sharing of information, including the *Municipal Freedom of Information and Protection of Privacy Act*
 - d) Performance
 - Being accountable to the citizens of London for performance by defining targets for performance in each Council term and reporting on performance on an annual basis
 - Ensuring the concept of continuous improvement is implemented in the organization

- e) Appropriate Behaviour and Conduct
- The actions of Council Members and the Civic Administration being governed by a Code of Conduct

APPENDIX B48

Bill No.
2018

By-law No.

A by-law to amend By-law No. A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*.

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 on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001* (the "Council Policy By-law");

AND WHEREAS it is deemed expedient to amend Schedule G – Delegation of Powers and Duties Policy to the Public Policy to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being the "Delegation of Powers and Duties Policy", is hereby amended by deleting Schedule "G" to By-law No. A.-6151-17 in its entirety and replacing it with the attached new Schedule "G", which shall be Schedule "G" to By-law A.-6151-17.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "G"

Policy Name: Delegation of Powers and Duties Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the guidelines for City Council when considering the delegation of some of its powers and duties to a person or body.

2. Definitions

- 2.1 Not Applicable.

3. Applicability

- 3.1 This policy shall apply to City Council.

4. The Policy

4.1 Applicable Legislation

Section 23.1 of the *Municipal Act, 2001* expanded the right of authority for City Council to delegate some of its powers and duties to a person or body.

It should be noted that intent of Section 23.1 of the *Municipal Act, 2001* was to help streamline City Council's decision-making process and enable it to focus on larger issues in a more strategic manner. Delegation of powers and duties could also be used to enhance community engagement on local issues.

4.2 Powers that may be Delegated

Any delegation of a power or duty shall be in accordance with the *Municipal Act, 2001*, S.O. 2001 c.25 and any other applicable legislation.

4.3 Process for Delegation

Any delegation of a power or duty shall be by by-law.

4.4 Public Consultation

Prior to delegating any power or duty, City Council may consult with the public when, in its opinion, public consultation is appropriate, unless it is required to do so by law.

4.5 Factors that City Council may Consider

When delegating a power or duty, City Council may consider, without limitation to, any of the following matters:

- a) the term of the delegation;
- b) the conditions or restrictions, if any, on City Council's power to revoke the delegation;
- c) the conditions or restrictions, if any, to be imposed on the delegate;
- d) whether the power or duty to be delegated will be exercised only by the delegate or by both the delegate and the municipality;
- e) whether the delegation is consistent with the municipality's policies under section 270 of the *Municipal Act, 2001*;
- f) the importance and complexity of the power or duty to be delegated and whether the delegate has the requisite qualifications and expertise to exercise the delegated powers and duties.

APPENDIX B49

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-127-379 being "Illumination of City of London Buildings and Amenities".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-127-379 being "Illumination of City of London Buildings and Amenities" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-127-379 being "Illumination of City of London Buildings and Amenities" is hereby amended by deleting Appendix 'C(45)' to CPOL.-127-379 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Illumination of City of London Buildings and Amenities Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-127-379)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy sets out the requirements for the illumination of City of London buildings and amenities.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to any person or organization seeking the illumination of City of London buildings and amenities.

4. The Policy

- 4.1. The illumination of City of London buildings and amenities with multi-colour capable LED lighting installations provides a unique opportunity to display the official colour associated with a charitable or non-profit organization or a City of London event, in order to create awareness of and/or celebrate an organization or a City of London event.

The following illumination guidelines shall be observed:

Eligibility:

- a) Outside organizations requesting the illumination of City of London buildings and amenities with multi-colour capable LED lighting installations must be charitable or non-profit organizations.
- b) Outside organizations requesting the illumination of City of London buildings and amenities with multi-colour capable LED lighting installations must have undertakings or philosophies that are in keeping with City of London policies or by-laws, and do not espouse hatred, violence or racism.
- c) City of London buildings and amenities with multi-colour capable LED lighting installations shall not be illuminated for political, religious or for-profit organizations or purposes.

Frequency/Timing:

- d) City of London buildings and amenities with multi-colour capable LED lighting installations shall be illuminated no more than once per calendar year, per eligible outside organization, in order to maximize access to all eligible outside organizations.
- e) City Hall will be illuminated for a period of up to one week, or for the duration of the associated event, whichever is less; noting that conflicts between two or more organizations would be settled in favour of the organization which first made its request, with City of London events taking precedence in all instances.
- f) The period of illumination of City of London buildings and amenities with multi-colour capable LED lighting installations will commence and terminate only on those business days that City Hall is open given the staff resources required to program the lighting. All City of London buildings and amenities with multi-colour capable LED lighting installations shall be illuminated in a consistent manner to the extent that programming allows.
- g) Outside organizations will be required to submit illumination requests on an annual basis.

Exemptions:

- h) There shall be no restriction on the number of times, or the period for which, the City of London illuminates its buildings and amenities with multi-colour capable LED lighting installations.
- i) The City of London may, at its discretion, illuminate each of its buildings or amenities with multi-colour capable LED lighting installations in a manner which is unique from one venue to the next.
- j) Notwithstanding the above, City of London buildings and amenities with multi-colour capable LED lighting installations shall be illuminated on the following occasions:

DATE	OCCASION	COLOUR
July 1	Canada Day	Red & White
November (except the period of Remembrance Day Events)	Shine the Light on Woman Abuse	Purple
December	Lighting of the Lights in Victoria Park	Red & Green

Administration of Policy:

- k) The City Clerk will administer the policy for the illumination of City of London buildings and amenities with multi-colour capable LED lighting installations.
- l) In the event there is a dispute between an outside organization and the City Clerk as to the eligibility of a request, the appeal process will be through the Corporate Services Committee and Municipal Council shall have full and final say as to whether or not the request to illuminate City of London buildings and amenities with multi-colour capable LED lighting installations will be granted.

APPENDIX B50

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-128-380
being "City of London Records 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-128-380 being "City of London Records Management Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-128-380 being "City of London Records Management Policy" is hereby amended by deleting Appendix 'C(46)' to CPOL.-128-380 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: City of London Records Management Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-128-380)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 The records and information holdings of The Corporation of the City of London (the “City”) are valuable corporate assets needed to support effective decision making, meet operational requirements, protect legal, fiscal and other interests of the City, and to adhere to the requirements of the *Municipal Act, 2001* as amended and the *Municipal Freedom of Information and Protection of Privacy Act, 1990* as amended.

The City will manage its information holdings by adopting a records management program that will be administered by the Office of the City Clerk.

All City records holdings in the custody and control of City employees and service areas are the property of The Corporation of the City of London.

The retention of records is usually dependent on the subject matter of the records, and not the format in which the records are stored. The Records Management Policy and Records Retention Schedule will focus on hardcopy/paper records and electronic records management practices. The policy will be applied to all records in the custody and control of the City – including electronic records (i.e. e-mails, files saved on staff computers and networks, files saved on CD’s and DVD’s, etc.).

2. Definitions

- 2.1 For the purposes of this policy, the following definitions shall apply:

Active Record	A record that is referred to and used on a regular basis and generally stored in the users’ office area. Most frequently used in the context of paper records.
Archival Record	A record that has been appraised for permanent retention because of its historical, fiscal, legal (including evidential), operational, or administrative value. The long term value of the record justifies its preservation.
Archives	A repository for archival records.
Classification System	A systematic method of coding and categorizing records for ease of use, retrieval, and disposal.
Corporate Records	Any record created, received, deposited or held by any office, department, division, unit, service area, committee, agency board or commission reporting to or responsible to the Council of the City of London, but does not include Councillor constituency records. In general, any record created or received by an employee in the course of business and used to support a City function or to conduct City business.
Disposition	The final phase of the records life cycle. Usually meaning the disposal of records that have no further value, or the transfer of archival records to permanent storage.
Disposition Authority	The individual responsible for the records under the care and control of a particular departmental business unit. Typically the “Disposition Authority” is a Service Area Manager or Director with signing authority.
Document	The smallest unit of filing.
File / Folder	A group of related documents. Can be hardcopy or electronic.
File Plan	A logical systematic method for the description and classification of records.
Inactive Record	A record that is referred to infrequently and usually kept in a lower cost storage facility until final disposition. Most frequently used in the context of paper records.

Life Cycle	The life span of a record from its creation or receipt throughout its active and inactive stage to final disposition.
Metadata	Data that provides information about a record's content, making it easier to retrieve, use, or manage. Metadata includes, but is not limited to: means of creation of the data, purpose of the data, time and date of creation, creator or author of data.
<i>Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)</i>	Ontario legislation which, with some limitations, provides the public with a right of access to records held by the City and protects the privacy of personal and third party information held by an institution.
Physical Record	A record of information in physical form, which includes but is not limited to: correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph.
Record	Information, however recorded or stored, whether in printed form, on film, by electronic means, or otherwise, that can include: correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof; and subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.
Record Series	A group of related files that are normally used and filed together.
Records Centre	A storage facility to house inactive records until their final disposition; usually in a lower cost, off-site location. Most frequently used in the context of paper and other physical records.
Records Classification System	A system to promote the effective use of City information by providing a consistent standard for the description and management of corporate records and improving control and accessibility.
Records Coordinator	An employee within each business unit who acts as records management liaison and representative for the business unit, administers and supports the business unit's records management program and participates in all necessary training for the performance of this role.
Records Management	The process of planning, organizing, directing, and controlling all the steps involved in the life cycle of records.
Retention Schedule	A Council-approved timetable that prescribes a life span to recorded information from its creation to final disposition. Records that have temporary usefulness and are only required for the completion of a routine action, or the preparation of another record. They are not an integral part of a records series and are not filed regularly with standard records or filing systems. They are not required to meet statutory obligations or to sustain administrative or operational functions.
Vital Records	Records that are essential to resume or continue the operations of an organization after an emergency; those necessary to recreate the corporation's legal and financial position; and/or those necessary to preserve the rights of the corporation, its employees, customers, and ratepayers.

3. Applicability

3.1 This policy shall apply to all records of The Corporation of the City of London.

4. The Policy

4.1 Purpose

The purposes of this policy are:

- a) To ensure that the records of The Corporation of the City of London are retained and preserved in a secure and accessible manner.
- b) To foster government accountability and transparency by promoting and facilitating good recordkeeping.

4.2 Objectives

A records management program applies systematic controls and standards to the creation, security, use, retention, conversion, disposition and preservation of recorded information. A standardized records management program will allocate sufficient resources to:

- a) manage the information life cycle to meet all legislated requirements for record keeping, including those of the *Municipal Act, 2001* and the *Municipal Freedom of Information and Protection of Privacy Act, 1990*;
- b) manage information holdings, making them readily available for decision making and to meet information access requests, including those made under the *Municipal Freedom of Information and Protection of Privacy Act, 1990*;
- c) protect the integrity and authenticity of records so that they may be relied upon as evidence of organizational activity and administrative decisions and thereby meet legal, evidential and accountability requirements;
- d) ensure that records are protected and are not destroyed or removed from the custody and control of The Corporation of the City of London unless authorized by the City's Records Retention Schedule, or through contractual agreement;
- e) ensure the identification and preservation of permanently valuable records and the destruction of records that have surpassed their retention, in a timely, secure, and environmentally sound manner;
- f) promote organizational efficiency and economy through sound record keeping practices, including reducing storage costs through the use of records storage centres and appropriate technology; and
- g) establish and define accountability, responsibility and roles for this program, as appropriate to level of involvement with records management.

4.3 General Directives

- a) All records created or received by an employee of The Corporation of the City of London in the course of official business are subject to City records management practices and procedures.
- b) It is the responsibility of every City employee holding or maintaining City records to deliver all such records to his or her successors or to the City Clerk upon leaving office or employment.
- c) Transfer of original City records into the possession of private organizations or individuals is prohibited except for the purposes of microfilming, imaging, duplication, format conversion, binding, conservation, or other records management and preservation procedures or where authorized by bylaw, legislation or contractual agreement.

4.4 Ownership of Records and Information

- a) Records created or accumulated by City Councillors acting in their political or constituency capacity are not corporate records where these records are stored and managed separately from City records.

- b) Records in the custody of consultants, contractors, and private service providers performing work for the City may be under the control of the City and subject to the Municipal Freedom of Information and Protection of Privacy Act, 1990.
- c) Records created by volunteers or part time workers performing work under the direction of a City employee are corporate records subject to this policy and to the provisions of the Municipal Freedom of Information and Protection of Privacy Act, 1990.

4.5 Changes of Custody, Control or Ownership

- a) When physical custody of original corporate records is transferred to another institution not covered by this policy, a protocol agreement must be in place. The agreement must identify the records in question, define the rights retained by the City and ensure that the records will be managed in accordance with government legislation, by-laws, regulations, policies, standards and records schedules. Protocol agreements may contain the following provisions:
 - i) the City may restrict access to or the disposition of records transferred or those created after the transfer;
 - ii) new records created or documentation added to existing records may become City property;
 - iii) records must be returned to the City once they are no longer required or if the information is requested by the City; and
 - iv) intellectual property rights (such as patents, copyright, etc.) must be retained by the City.

4.6 Information Security

- a) Security measures must be implemented to ensure that records are created, acquired, updated, handled, used, transmitted, transported, filed stored and destroyed in a manner appropriate to their sensitivity. These security measures must ensure the integrity of the records, protect sensitive information and personal information from unauthorized access or disclosure and protect vital records from damage or loss.

4.7 Records Classification System

- a) The Ontario Municipal Records Management System (TOMRMS), as amended, will be used as the City's records classification system and retention schedule.

4.8 Retention and Disposition of Corporate Records

- a) All corporate records will be retained and disposed of according to the Council-approved Corporate records schedule
- b) In order to reduce the use of office space and file equipment, inactive physical records will be stored in records centres coordinated by the City Clerk's Office.
- c) Employees will use the Corporate approved CityHub/SharePoint electronic documents and records management system to store and manage electronic records not already stored in other approved database applications.
- d) In accordance with the approved retention schedule, final disposition action will take place in a timely manner at the end of the retention period for each record series.

4.9 Preservation of Archival Records

- a) Archival records will be managed for preservation throughout the information life cycle.
- b) Archival records will be created in formats that ensure the longest possible life of records or of the information contained in them. They will be handled and stored in a manner that minimizes damage and deterioration while in use.
- c) Archival records will be preserved in formats appropriate to their retention periods and final disposition. Information of enduring value must be preserved using durable storage media.

4.10 Transitory Records

- a) After a final record has been produced and incorporated into the regular filing system, the working materials involved may become superseded or obsolete transitory records and may be destroyed unless otherwise legislated or specified in the records retention schedule.
- b) Working materials which are required for ongoing legal, fiscal, audit, administrative or operational purposes are not transitory records.
- c) Transitory records that are the subject of ongoing legal proceedings or a request under the Municipal Freedom of Information and Protection of Privacy Act must not be destroyed until after the legal proceeding or request has been completed and all possible appeals have been resolved.

4.11 Records Management Training

- a) The objective of staff training is to enable City staff to implement, use and maintain standardized systems for managing their record holdings.
- b) Training must be appropriate to the level of involvement with recordkeeping systems. This involves basic training for all employees and specialized training for business unit records coordinators.
- c) Business unit records coordinators will receive training in the following areas:
 - i) principles of recordkeeping;
 - ii) information management terminology and processes;
 - iii) security of information holdings;
 - iv) access rights and privacy protection;
 - v) management of special types of records (e.g. transitory records, special media, etc.)
 - vi) classification of records;
 - viii) records search and retrieval
 - ix) records retention and disposition schedules;
 - x) file operations and records storage.

4.12 Destruction of Records

- a) Destruction of records may occur at the end of a record's life cycle as described in the approved records retention schedule. Destruction includes deletion, garbage, shredding, and paper recycling.
- b) Records shall be destroyed using a method appropriate to their medium and to their content. Records containing confidential and/or personal information shall be destroyed through a process that achieves definitive obliteration of information.
- c) Destruction operations must maintain the confidentiality of information and protect the privacy of individuals whose personal information may be contained in the records.
- d) Records must be destroyed promptly following the expiration of approved retention periods. Exceptions to this planned destruction process include records still required for the ongoing functions of a municipal program and records that are the subject of a request under the *Municipal Freedom of Information and Protection of Privacy Act* and records required for ongoing legal purposes.

4.13 Authority and Responsibility

- a) The Senior Leadership Team will:
 - i) provide corporate leadership and support for the records management program.
- b) The City Clerk will:
 - i) provide leadership for records management with respect to vision, mission, policy, standards, strategic planning, training, quality assurance,

- and facilitate the development, maintenance and improvement of records keeping solutions, tools and systems; and
- ii) make recommendations to the Senior Leadership Team and Council regarding policy requirements and records retention and disposal schedules, as required.
- c) The Manager of Records and Information Services will:
- i) coordinate the corporate wide program for records management;
 - ii) recommend and implement policies;
 - iii) provide direction, training and technical advisory services;
 - iv) provide storage and retrieval services for inactive physical records;
 - v) identify the tools, facilities and staff necessary for service delivery;
 - vi) create and maintain procedure manuals and supporting documentation; and
 - vii) ensure the currency of the records retention schedule.
- d) The Director of Information Technology Services will:
- i) provide technical support for the installation, maintenance and upgrading of records management software and related programs to ensure compliance and access within the City's networked systems; and
 - ii) ensure the security and integrity of electronic records systems.
- e) Service Area Managers/Directors will:
- i) recommend retention schedules relating to records in their business unit's custody and control to ensure the schedule meets the business unit's operational requirements;
 - ii) use the records storage and retrieval services coordinated by the City Clerk's Office for storage of inactive physical records;
 - iii) ensure business unit staff is fully trained and carrying out their records management obligations;
 - iv) as the Disposition Authority, review and sign off the destruction of records that have reached their scheduled disposition date. If destruction sign-off is not provided, the Disposition Authority shall provide written justification for the request to extend destruction dates;
 - v) when a business function is being transferred to another business unit as a result of a reorganization, transfer to the business unit all records needed to carry out the function, or, when the business unit ceases to carry out a function and the function is not transferred to another business unit, transfer all records relating to that function to the City Clerk;
 - vi) inform the City Clerk of breaches of records management policy (e.g. damage, theft, misuse, privacy complaints or unauthorized disposition of records); and
 - vii) designate an employee in each business unit to act as the records coordinator.
- f) Business Unit Records Coordinators will:
- i) oversee and be responsible for preparing inactive records for transfer to the City Clerk's Records Unit for storage;
 - ii) be aware of the location all current records and information stored in his/her business unit, regardless of format;
 - iii) assist employees in their business unit to understand the corporate records management program and procedures and act as "champion" for the program within their business unit; and
 - iv) assist the Manager of Records and Information Services to deliver and to audit the records management program within their business unit.
- g) All City Employees will:
- i) ensure that the records they create or receive in the course of business that are used to support a City function or to conduct City business will be maintained and preserved as required by this policy and the records management program.

APPENDIX B51

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-148-400
being "Staff at Ward Meetings".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-148-400 being "Staff at Ward Meetings" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-148-400 being "Staff at Ward Meetings" is hereby amended by deleting Appendix 'C(66)' to CPOL.-148-400 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Staff at Ward Meetings Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-148-400)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy sets out the guidelines for having City of London staff attend ward meetings held by Council Members.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to Council Members and employees of The Corporation of the City of London.

4. The Policy

- 4.1 The attendance of City of London employees at ward meetings held by individual Council Members, other than at the direction of City Council or Standing Committees, shall be a matter of decision on the part of the Service Area Lead concerned, with the concurrence of the City Manager, except in such circumstances where attendance falls within the guidelines pertaining to the Council Members' support staff. In either case, restrictions on the use of corporate resources during a municipal election period must be adhered to.

APPENDIX B52

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-186-438 being "Protocol for Unapproved Aboriginal Burial Sites".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-186-438 being "Protocol for Unapproved Aboriginal Burial Sites" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-186-438 being "Protocol for Unapproved Aboriginal Burial Sites" is hereby amended by deleting Appendix 'C(105)' to CPOL.-186-438 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Protocol for Unapproved Aboriginal Burial Sites

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-186-438)

Last Review Date: June 25, 2018

Service Area Lead: Managing Director of Legal & Corporate Services and City Solicitor

1. Policy Statement

- 1.1 The objective of this policy is to establish a protocol available to private land owners in the City of London and First Nations communities as options for stewardship of unapproved aboriginal burial sites discovered on land within the boundary of the City of London. The City of London encourages consultation with First Nations communities, recognizing and respecting traditional First Nations customs. Traditional First Nations' customs should be accommodated and consultations between First Nations communities and private/public land owners should be encouraged.

2. Applicability

- 2.1. The protocol described in this policy is available to private land owners in the City of London and First Nations communities as options for stewardship of unapproved aboriginal burial sites discovered on land within the boundary of the City of London.

3. Definitions

Not applicable.

4. The Policy

Protocol for Unapproved Aboriginal Burial Sites

PROTOCOL STATEMENT:

The City of London encourages consultation with First Nations communities, recognizing and respecting traditional First Nations customs.

PROTOCOL PURPOSE:

It is the goal to establish a protocol available to private land owners in the City of London and First Nations communities as options for stewardship of unapproved aboriginal burial sites discovered on land within the boundary of the City of London.

SCOPE:

Traditional First Nations' customs should be accommodated and consultations between First Nations communities and private/public land owners should be encouraged.

APPLICATION:

The protocol is available as a framework for negotiations towards an agreement for stewardship of an unapproved aboriginal burial site.

BACKGROUND:

As the urban development of the City of London has expanded, human burial sites have been discovered in land that had previously been natural or used for agricultural purposes. Some of these burial sites include remains of aboriginal persons; some of the burial sites include the remains of persons who were settlers in the area.

The Province of Ontario enacted legislation for the protection of discovered unapproved burial sites including unapproved aboriginal burial sites: the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33 (*the "Funeral, Burial and Cremation Services Act, 2002" or the "Act"*) and its regulations. The Act and the regulations provide procedures for the identification of sites as "unapproved aboriginal peoples' cemetery", the representation of the people whose remains are located, for either establishing the lands either as a cemetery or for entering into a site disposition agreement between the land owner and the representative, and a dispute resolution mechanism.

The Act and its regulations also expressly provide that, unless consent is given by a representative of the person whose remains were discovered, the remains shall not be removed from the site nor shall scientific analysis of the remains or associated artifacts be conducted.

Historically, when human remains, regardless of cultural origin, have been discovered in the municipal boundaries of the City of London during urban development, the remains were typically removed to local approved cemeteries (and in the case of aboriginal remains, may have been removed to a an aboriginal cemetery located within the municipal boundaries of the City of London or a cemetery located on a nearby First Nations reserve).

Traditional practices and customs with respect to the stewardship of burial sites may vary depending on the First Nations community involved. The protocol seeks to engage the parties in notifying potential modern representatives of the find and providing them with any evidence regarding the culture of the interred persons.

One stewardship option available to the private land owner and the representative of the aboriginal person whose remains have been discovered is the participation of the City of London in a joint ownership programme with the representative with respect to those burial sites located within the boundaries of the City of London.

Recognizing that the private land owner is entitled to the rights and remedies available under the *Funeral, Burial and Cremation Services Act, 2002* as described above, this protocol is available to private land owners as a guide to resolving a site disposition agreement between the relevant parties.

Two of the highlights of this protocol are:

- 1) it acknowledges that, depending on the nominee, there may be a question as to legal capacity nominee of the representative of the aboriginal person whose remains have been discovered, in respect of conveying title. One of the options of stewardship is joint ownership of the burial site between the City of London and the representative. In the joint ownership option, in the event that future title of the lands should ever fail for any reason, title to the lands would revert to the City of London and the lands will remain as a burial site for the aboriginal person whose remains were discovered; and
- 2) the protocol requires the consensus and participation of all parties including the private land owner, the representative of the aboriginal person whose remains have been discovered, and, where relevant to the stewardship option chosen, the City of London.

THE PROTOCOL:

The protocol is generally a non-binding framework intended to guide private land owners who discover remains on their property. The roles and responsibilities are to be interpreted in the context of the framework's underlying principles of consultation, accommodation, and negotiation.

Nothing in this protocol is intended to abrogate the rights or obligations of any party under the *Funeral, Burial and Cremation Services Act, 2002*.

If the site is identified as an unapproved aboriginal peoples' cemetery, and if the private land owner wishes to invoke this protocol, the private land owner may enter into negotiations with the representative of the person whose remains have been discovered (and the City if a joint ownership option is pursued) for a site disposition agreement that may include the following matters:

- a) for the delivery of a copy of any documents connected with or related to investigations conducted in accordance with the *Funeral, Burial and Cremation Services Act, 2002*, if requested by the parties to the agreement;
- b) in addition to any notice requirements under the *Funeral, Burial and Cremation Services Act, 2002*, to send notice to potentially interested parties of the discovery of the human remains that are of aboriginal origin;
- c) for delivery of a copy any notices given under this protocol, including any responses, if requested by the parties to the agreement;
- d) for the cost of rezoning, if necessary, of the subject lands to a zone that is appropriate for cemetery use;
- e) for obtaining an up to date survey of the lands that are the subject of the burial site;
- f) for the preparation and registration of a reference plan showing the lands that is the subject of the site disposition agreement;

- g) for providing reasonable and appropriate landscaping of the burial site and to allocate the cost of such landscaping;
- h) for providing for the manner in which the human remains may be disinterred and reinterred;
- i) for conveying title to the burial including but not limited to conveying title to the Corporation of the City of London in joint ownership with the representative of the person whose remains have been discovered;
- j) for providing for future stewardship of the burial site.

A sample draft agreement is set out at Appendix “A” attached for the joint ownership option.

If the joint ownership option is pursued, then title to the lands shall be transferred from the private land owner to the Corporation of the City of London, and then transferred from the Corporation of the City of London to the nominee of the representative and the Corporation jointly.

In so far as the City has the power to do so, will treat the lands as exempt from taxation pursuant to sections 3(2) and 3(9) of the *Assessment Act*, R.S.O. 1990, c. A.31 as amended, and any other enabling successor legislation or regulation.

If the parties wish to amend the draft form of site disposition agreement as attached as Appendix “A”, any and all amendments shall be on the consent of all parties to the agreement.

If the parties are unable to resolve the draft form of site disposition agreement, the parties shall be entitled to the arbitration remedies available under the *Funeral, Burial and Cremation Services Act, 2002*.

Protocol for Unapproved Aboriginal Burial Sites

APPENDIX “A”
Sample Draft Site Disposition Agreement

This site disposition agreement was made this _____ day of _____, 20__ between [name of private land owner] as Owner, [name of the representative] as the representative of the aboriginal person(s) whose remains are interred, as the Representative, and the Corporation of the City of London as the City.

WHEREAS the Owner has uncovered the remains of a person or persons whose cultural identity has determined upon investigation as an aboriginal person with a close cultural affinity to the Representative;

AND WHEREAS the Representative is willing to act as a representative in defined by the *Funeral, Burial and Cremation Services Act, 2002*, R.S.O. 1990, c. C.4, as amended;

AND WHEREAS the Representative desires to have the remains of the person interred left in proximity to where they are interred and the Owner can accommodate such an intention;

AND WHEREAS the City and the Representative have agreed to take title in the subject lands identified below jointly;

AND IN CONSIDERATION of the payment of two dollars (\$2.00) by the Owner each to the City and the Representative, in addition to other consideration, the receipt and sufficiency of which is hereby acknowledged;

THE PARTIES AGREE as follows:

1. LEGAL DESCRIPTION OF THE LANDS
[insert legal description]
2. MANNER IN WHICH THE REMAINS ARE TO BE DISINTERRED AND REINTERRED
[insert agreement as to internment]

3. PROVISIONS FOR FUTURE MAINTENANCE

The Representative shall assume the stewardship of the burial area and shall ensure that the area continues to be protected, respected, and used in ways that are consistent with the dignity and integrity of a burial ground.

4. ALLOCATION OF COSTS

The parties agree that costs shall be allocated on the following basis:

- a) the Owner shall bear the costs of:
 - i) obtaining a survey of the lands;
 - ii) preparing and registering a reference plan that shows the lands that are the subject of this agreement;
 - iii) obtaining rezoning of the lands;
 - iv) providing for the disinterment and reinterment of the person(s) whose remains are interred on the lands, as set out in paragraph 2 above, including any landscaping as agreed by the parties; and
 - v) preparation, execution and delivery of all documents necessary to convey title in the subject lands from the Owner to the Corporation of the City of London.
- b) the Representative shall bear the costs of: stewardship and future maintenance of the subject site.
- c) the City shall bear the costs of:
 - i) preparation, execution and delivery of all documents necessary to convey title in the subject lands from the City to the Representative and the Corporation of the City of London jointly; and
 - ii) registration of this site disposition agreement with the Registrar as provided below.

Following transfer of the lands from the Owner to the City, in so far as the City has the power to do so, the City will treat the lands as exempt from taxation pursuant to sections 3(2) and 3(9) of the *Assessment Act*, R.S.O. 1990, c. A.31 as amended, and any other enabling successor legislation or regulation.

5. OTHER MATTERS

The parties further agree as follows:

- a) The agreement is a site disposition agreement as contemplated by *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33 as amended, or any successor legislation, and shall be filed with the Registrar;
- b) The parties acknowledge that the Owner intends to develop the lands adjoining or abutting the subject lands for the purposes of [type of use]. Subject to final approval of the development by the necessary authorities including the City and the Ontario Municipal Board, the Representative shall not object to the said development;
- c) This agreement is binding on the parties and their successors;
- d) This agreement cannot be assigned by any party without the written consent of the other parties;

e) Notice pursuant to this agreement shall be delivered in writing by registered lettermail to the following addresses:

[name of representative]
[address of representative]

[name of land owner]
[address of land owner]

The Corporation of the City of London
300 Dufferin Avenue
P.O. Box 5035
London, Ontario
N6A 4L9
Attention: Legal Services Department

Service of any notice shall be effective five (5) business days after the date of mailing.

IN WITNESS WHEREOF the undersigned have hereunto executed this agreement by representatives duly authorized and affixing their seals,

[witness] _____ signature of land owner _____
[typed name of land owner]

[witness] _____ [signature of representative] _____
[typed name of representative]

[witness] _____ [signature of Mayor] _____

[witness] _____ [signature of City Clerk] _____
The Corporation of the City of London

APPENDIX B53

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-193-445
being "City of London Community Suite 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-193-445 being "City of London b Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-193-445 being "City of London Community Suite Policy" is hereby amended by deleting Appendix 'C(2)' to CPOL.-193-445 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: City of London Community Suite Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-193-445)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy outlines the requirements associated with use of the City of London Community Suite at Budweiser Gardens.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to The Corporation of the City of London and local charitable volunteer groups for corporate use and community promotion for all events, except east end stage events (small concert mode) to be held in Budweiser Gardens.

4. The Policy

4.1 Tickets

The Suite includes ten tickets for all London Knights regular season games. Tickets for other events are purchased on an event basis.

4.2 Eligible Community Groups

Access to the Community Suite is limited to registered charities, incorporated non-profits, minor sports associations' administration, neighbourhood associations that are involved in fundraising for projects that are related to the repair, enhancement, construction or preservation of a City-owned or operated facility or the development and operation of a City-operated or supported program activity, and service clubs that are based in the City of London. Groups applying to use the Suite must provide a description of the group or organization, the legal name of the group, a contact and name of the person responsible for all costs associated with the use of the Suite, and the details on the proposed use of the Suite (e.g. fundraising, reward program for volunteers, etc.) Each group will be limited to one application. City schools are eligible for fundraising purposes only. A School may use the Suite only once. It is not the intent to draw individual classes within a School to utilize the Suite.

4.3 Allocation of Dates

- a) A list of events will be prepared, identifying community use event dates and City event dates in four month intervals.
- b) The standing committee whose mandate includes such matters, and the City Manager, will identify those dates that the Suite will be used for City business.
- c) The City Manager shall be authorized to approve use of the Community Suite in those circumstances where an international or national event requires the use of the Community Suite as a bid condition in order to secure the event, and the City Manager shall be required to advise the Municipal Council of any such approval upon his/her notification that the subject bid was successful.
- d) The dates not being utilized for City purposes will be allocated by way of a draw or random lottery. A group submitting an application will list its priority for available events. The selected group will confirm its selection within five business days of being notified of an available date. In allocating event dates, those groups requesting only hockey will be distinguished from those groups requesting non-hockey events.
- e) Any eligible group refusing a date, once selected, shall remain eligible for future draws.

- f) All eligible groups not selected shall remain eligible for future draws.
- g) Once a group has used the Suite, they will not be eligible for re-use of the Suite until all other eligible groups have been offered use of the Suite.

4.4 Requirements of the User Group

- a) The user groups will be responsible for the behaviour of their users and will be required to abide by the same rules as other Suite holders.
- b) Each group will be responsible for all food and beverage costs, ticket costs (except regular season London Knights hockey games) and damages associated with the use of the Suite.
- c) Each group will be required to pay a \$250 refundable cheque to be used as security for the use of the Suite and must sign a waiver form for liability.
- d) Where tickets are required to be purchased for an event, groups will be required to purchase those tickets 10 business days prior to the event.

4.5 City Use of the Suite

- a) The City's use of the Suite will be governed by Municipal Council based on the recommendation of the standing committee whose mandate it is to deal with such matters, excluding those uses authorized by the City Manager for international or national events requiring the use of the Community Suite as a bid condition in order to secure those events.
- b) The City's use of the Suite is intended for community promotion, industrial and tourism promotion, and to recognize groups which may include persons serving on City committees and recipients of special recognition awards etc.
- c) The Suite will be available to affiliated Boards and Commissions for similar purposes as the City. Affiliated Boards and Commissions will not be considered an eligible community group for the use of the Suite, but under the policies that govern City use of the Suite.
- d) The cost of using the Suite by the City will be borne by the City and budgeted by the City Clerk and in the case of affiliated Boards and Commissions, or others that use the Suite, the cost will be borne by the user.

4.6 Administration of the Suite

The City Clerk is the primary contact for user groups and is delegated responsibility to administer this policy.

APPENDIX B54

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-228-480
being "Council Members' Expense Account".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-228-480 being "Council Members' Expense Account" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-228-480 being "Council Members' Expense Account" is hereby amended by deleting Appendix 'C(37)' to CPOL.-228-480 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Council Members' Expense Account Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-228-480)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the annual budget allocation to individual Council Members to support them in performing their diverse roles and representing their constituents, including the associated conditions for use of the budget allocation.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to all Council Members, excluding the Mayor.

4. The Policy

4.1 Annual Budget Allocation

An annual sum of \$15,000.00 shall be allocated to each Council Member.

4.2 Conditions for Use of the Annual Budget Allocation

- a) This policy does not apply to:
- i) the Head of Council;
 - ii) any travel-related expenses that are not eligible for reimbursement under the Council Policy related to Travel and Business Expenses;
 - iii) travel expenses incurred by any Member of Council who has been nominated by the Municipal Council to represent it as a member of a committee or of the Board of Directors of the Federation of Canadian Municipalities or the Association of Municipalities of Ontario; it being noted that the latter expenses will be subject to Council approval of a source of financing;
 - iv) elected officials' salaries and related payroll costs;
 - v) expenses related to telephone, mobile devices and computers issued by the Corporation; noting that the standards for the aforementioned equipment are established by the City Clerk in consultation with Information Technology Services and are reflected in the Issuance of Computer Equipment to Council Members Policy;
 - vi) City of London business cards, letterhead and envelopes;
 - vii) a limited general supply of pens, pencils, erasers, highlighters, markers, scribble pads, message pads, post-it notes, paperclips, tape, staples, etc.
 - viii) expenses for goods or services of a personal nature;
 - ix) election-related expenses, including expenses incurred to produce or distribute campaign literature or materials, in accordance with the Travel and Business Expenses Policy;
 - x) expenses incurred by delegates who the Mayor may, from time to time and at his/her discretion, request to attend meetings with federal, provincial or municipal organizations, or of the Mayors and Regional Chairs of Ontario (MARCO) and the Large Urban Mayors Caucus of Ontario (LUMCO) on his/her behalf; and,

- xi) any donations or grants as these items are covered under the City of London Municipal Granting program.
- b) The annual allocation shall be subject to annual Budget approval;
- c) The allocated sum may be used by Members of Council for any of the following purposes:
 - i) any conference, seminar or workshop having a direct relationship to municipal concerns or interests; such expenses to be in accordance with the Travel and Business Expenses Policy;
 - ii) educational courses which would assist the elected official in the completion of their Council-related duties and responsibilities;
 - iii) gifts and souvenirs for protocol and City of London promotional purposes up to a maximum value of \$1200 annually;
 - iv) the expenses of a spouse or companion when claiming business hosting expenses, at the discretion of the elected official, when such an expense is considered to be necessary for the advancement of the interests of the City and is in accordance with the Travel and Business Expenses Policy;
 - v) office and computer equipment, furniture and supplies exceeding corporate issue, subject to the following conditions:
 - A) purchases of single items exceeding \$750.00 (excluding HST) in value will require the pre-approval of the Expense Review Officer (or designate) and it must be demonstrated that such purchases are necessary in order to effectively represent and serve the constituents;
 - B) purchases of single items exceeding \$750.00 (excluding HST) in value will be returned to the City Clerk upon the completion of the term to determine appropriate Corporate reuse or redistribution, should the Councillor not be returning for an additional term;
 - C) notwithstanding part B), above, out-going Councillors may purchase a piece of equipment, originally purchased with "City" funds, using personal funds payable to the City, at present-market value;
 - D) purchases of single items exceeding \$750.00 (excluding HST) in value in the final year of the term will require the submission of a request for approval to the Corporate Services Committee on an exception basis, and will remain subject to all conditions described above;
 - vi) publication of newspaper notices to extend Seasons Greetings, advertise ward or neighbourhood meetings, extend congratulations to community organizations, convey Council actions on matters of public interest up to a maximum value of \$1,000 annually;
 - vii) expenses related to ward matters and the operation of a "ward office", including such expenses as: neighbourhood or constituent meetings, notices, lease of constituency office space within the ward, printing, etc.;
 - viii) expenses related to the hosting of educational forums related to the business of the Municipal Council, for the benefit of the public (eg. Speaker's fees and travel expenses, venue rental for the forum, etc.);
 - ix) transportation expenses for business-related travel within the City of London, to be paid by one of the following means at the discretion of individual Members of Council for the balance of 2015 (November and December), and for each entire fiscal year thereafter:
 - A) a monthly transportation allowance in the amount of up to \$150.00 maximum; OR

- B) a per kilometer rate, based upon submission and approval of a "Corporate Car Allowance Statement" claim form, which provides for both parking and kilometre usage;
- x) contracting of temporary, part time office assistants subject to the following conditions:
- Members of Council will be responsible for the contracting and supervision of office assistants who will be under a purchase of service agreement with the Council member.
 - Members of Council shall arrange for their assistants to submit an invoice for work performed at the agreed upon rate. All invoices will be approved by the contracting Council Member prior to submission to the City Treasurer for payment. All payments will be subject to the availability of funding in the Council Member's Expense Account;
 - temporary office assistants contracted by members of Council will not be provided with access to the City Hall computer system, but could be provided with access to any offsite service provided by an outside service provider, at the discretion of the Council member;
 - office assistants working for Members of Council will be provided keys and security card access from 8:00 a.m. to 5:30 p.m., Monday to Friday, to the office of the Council member for which they are providing services; and,
 - the Code of Conduct policy for Members of Council will be followed in supervising these assistants including the protection of confidential information.
- xi) community event ticket purchases, for the individual Councillor.
- d) for expenses not included in (c), above, elected officials may, at their discretion, submit a request, on the required form, through the Corporate Services Committee for approval of an expense, on an exception basis;
- e) no goods or services shall be purchased in excess of what the Council Members require to complete their term of office, and all expense claims will require the submission of original, detailed receipts and clear explanation of the City/Ward-related purpose.
- f) the City Treasurer will provide an annual report to the Municipal Council detailing elected official remuneration and all expenses incurred against each elected official's expense account, such report to be prepared on or before March 31st of each calendar year;
- g) all elected official expense information is considered to be public information, with the exception of any detail that is subject to the *Municipal Freedom of Information and Protection of Privacy Act*, or any other relevant legislation, and shall be posted by the City Clerk, or designate, on the City of London website, on a quarterly basis; and,
- h) all eligible claim receipts shall be submitted for processing within 45 (forty-five) days from the date the expense occurred, in order to be considered for reimbursement.

APPENDIX B55

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-229-481
being "Mayor's Expenses".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-229-481 being "Mayor's Expenses" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-229-481 being "Mayor's Expenses" is hereby amended by deleting Appendix 'C(38)' to CPOL.-229-481 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Mayor's Expenses Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-229-481)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the guidelines for the Mayor's expenses and the reporting of same.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to all expenses incurred by the Mayor in carrying out his role.

4. The Policy

4.1 The following shall apply to the Mayor's expenses:

- a) the City Treasurer will provide an annual report to the Municipal Council detailing the Mayor's remuneration and expenses, such report to be prepared on or before March 31st of each calendar year in accordance with applicable legislation;
- b) the Mayor's expense information is considered to be public information, with the exception of any detail that is subject to the *Municipal Freedom of Information and Protection of Privacy Act*, or any other relevant legislation, and shall be posted by the City Clerk, or designate, on the City of London website, on a quarterly basis;
- c) purchases of single items exceeding \$750.00 (excluding HST) in value will be returned to the City Clerk upon the completion of the term to determine appropriate Corporate reuse or redistribution, should the Mayor not be returning for an additional term;
- d) notwithstanding part c) above, the out-going Mayor may purchase a piece of equipment, originally purchased with "City" funds, using personal funds payable to the City, at a present-market value; and,
- e) purchases of single items exceeding \$750.00 in value (excluding HST), in the final year of the term will require the submission of a request for approval to the Corporate Services Committee on an exception basis, and will remain subject to all conditions described above.

APPENDIX B56

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-231-555 being "Policy for the Establishment and Maintenance of Council Policies".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-231-555 being "Policy for the Establishment and Maintenance of Council Policies" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-231-555 being "Policy for the Establishment and Maintenance of Council Policies" is hereby amended by deleting Schedule "A" to By-law No. CPOL.-231-555 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Policy for the Establishment and Maintenance of Council Policies

Legislative History: Adopted November 28, 2017 (By-law No. CPOL.-231-555)

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the responsibilities and procedures for establishing and maintaining Council policies, including making Council policies available to Council, Civic Administration and the public in order to promote accountability, transparency, and openness.

2. Definitions

For the purposes of this policy,

- 2.1 **Administrative Practice or Procedure** – shall mean an internal practice or procedure used by City of London employees to carry out the City's day-to-day business operations.
- 2.2 **Corporate or City-Wide Significance** – shall mean a policy that impacts all or the majority of Service Areas or could impact a significant number of City of London residents.
- 2.3 **Council Policy** – shall mean a policy adopted by Council that provides high level direction to guide the actions of the City in carrying out its business operations.
- 2.4 **Council Policy Manual** – shall mean a consolidation of policies that have been adopted by Council.
- 2.5 **Service Area Lead** – shall mean the City of London staff person primarily responsible for the development and maintenance of a Council policy.
- 2.6 **Service Area Head** – shall mean the City of London department head to whom the Service Area Lead reports.
- 2.7 **Strategic Management Team** – shall mean the group of City administrators assembled by the City Manager to provide senior administrative oversight of the business operations of the City.

3. Applicability

- 3.1 This Council policy applies to all policies recommended for adoption by and/or adopted by Council.

4. The Policy

4.1 Roles and Responsibilities

- a) The Council is responsible for approving Council policies.
- b) The City Clerk, or their designate, is responsible for maintaining and making available to Council, Civic Administration and the public, a current consolidation of Council policies.
- c) The Service Area Lead is responsible for the development and maintenance of Council policies related to their respective business operations.
- d) The Service Area Head is responsible for recommending any new policies, amendments to existing policies or policies for repeal, related to their respective business operations, for approval by Council.

4.2 Procedures

4.2.1 Developing, Amending or Repealing a Council Policy

- a) Council or the Civic Administration may identify a matter for which they wish to establish a new Council policy, an existing Council policy which requires amendment, or a policy which needs to be repealed.

- b) The appropriate Service Area Lead shall research, develop, and prepare proposed Council policies, proposed amendments to existing Council policies, or a proposed repeal of Council policies relevant to their business operations for the Service Area Head's recommendation to Council for consideration, through the appropriate Standing Committee.
- c) Council Policies that are being recommended for creation, amendment or repeal by the Civic Administration:
 - i) Must be recommended to the appropriate Standing Committee of Council by the Service Area Head.
 - ii) Must be reviewed by the Strategic Management Team for content and intent in the case of a policy with corporate and/or city-wide significance.
 - iii) Must be reviewed by the City Clerk, or their designate, for compliance with the provisions of this Policy.

4.2.2 Policy Template

Council policies shall be prepared using the following template:

Policy Name: (Council Policy Title)

Legislative History: (Provided by City Clerk's Office)

Last Review Date: (Provided by the City Clerk's Office based upon written notification by the Service Area Lead responsible for the maintenance of the Council policy)

Service Area Lead: (Title of the staff person responsible for the development and maintenance of the Council policy and the staff contact for information regarding the Council policy)

1. Policy Statement (states the objective of the Policy)
2. Definitions (if applicable)
3. Applicability (states who/what the Policy applies to)
4. The Policy

4.2.3 Publishing of Council Policies

The City Clerk, or their designate, shall be responsible for the retention and publication of Council policies.

4.2.4 Maintaining the Currency of Council Policies

It is the responsibility of Service Area Leads to maintain the currency of the Council policies that fall within their Service Area's jurisdiction.

The City Clerk shall by January 31 of each calendar year ending in an odd number, send a written notice to each Service Area Lead, with a copy to the relevant Service Area Head, reminding them to ensure completion of their annual review of Council policies for which they have been designated responsibility, to ensure they continue to properly meet Council, corporate and other legislative requirements.

Service Area Leads shall:

- a) Review all Council policies within their Service Area's jurisdiction by no later than April 30 of each calendar year ending in an odd number to ensure they continue to properly meet Council, corporate and other legislative requirements and advise their Service Area Head of the findings from their review. This does not preclude any Service Area from being responsible for updating a policy prior to the bi-annual review of all policies, should it become evident that a change in policy is required on a more immediate basis.

Service Area Heads shall:

- a) Advise the City Clerk's staff person specified in the City Clerk's notice letter, of the date the review of the Council policies within their Service Area was completed, for those policies not requiring any change, so that review date can be reflected in the relevant policy.
- b) Bring forward any recommendations for revisions to existing Council policies arising from the Service Area's review by May 31 of each calendar year ending in an odd number, for consideration by the appropriate Standing Committee of Council. The review date for any policies recommended for change will be the date those changes are adopted or denied by the Municipal Council.

APPENDIX B57

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-9-98 being
“Sale of Major Assets 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-9-98 being “Sale of Major Assets Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-9-98 being “Sale of Major Assets Policy” is hereby amended by deleting Schedule “A” to By-law No. CPOL.-9-98 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Sale of Major Assets Policy

Legislative History: Enacted March 21, 2017 (By-law No. CPOL.-9-98)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

- 1.1. The purpose of this policy is to establish objectives, strategy and guidance for the use of proceeds generated from the sale of major assets by the Corporation of the City of London.

This policy also describes the procedures to be followed in the event that Council has approved the disposal of a major asset.

- 1.2. Objectives

The primary objectives of this policy are as follows:

Reduce debt: Proceeds from the sale of assets can be used as a substitute funding source for debt planned to be incurred by the municipality (i.e., approved but not issued).

Provide a funding source for other revenue generating assets: There may be circumstances where the proceeds from the sale of an asset can be directed to investments or the acquisition of new assets that provide a greater return than the previous asset and/or provide greater financial benefits than debt substitution.

Provide a funding source for other initiatives: Allocating the proceeds from asset sales to Council-directed strategic initiatives may have significant community benefits.

2. Definitions

- 2.1. **Civic Administration** - means the Service Areas and Service Area Leads as identified in the Corporation's Civic Administration By-law, as amended from time-to-time;
- 2.2. **Corporation** - means the Corporation of the City of London;
- 2.3. **Council** - means the municipal Council of the Corporation;
- 2.4. **Disposal** - means activities associated with the sale of an asset, following it being deemed surplus by Council or an authorized individual, where applicable;
- 2.5. **Major Assets** - means municipally-owned and controlled property, buildings, infrastructure and ownership interest in corporations providing local services;
- 2.6. **Minor Assets** - means assets that are regularly replaced due to their limited lifecycle period and use during day-to-day business operations. Examples include: vehicles, equipment, furniture and supplies;
- 2.7. **Proceeds** - means the net revenues gained from the sale of an asset;
- 2.8. **Productive Asset** - means an asset where revenues generated from the asset cover the cost of operating that asset, or the asset meets a municipal need;
- 2.9. **Surplus** - means assets

3. Applicability

This policy applies to the proceeds generated from the sale of all municipal assets that Council has approved for disposal, per Council's Sale and Other Disposition of Land Policy and other approvals.

The following types of asset sales are excluded from this policy:

- a) minor assets;

- b) industrial lands offered for sale as part of the Corporation's Industrial Land Development Strategy; and,
- c) salvage materials arising from infrastructure construction and/or lifecycle renewal projects.

4. The Policy

4.1. Strategy

The short and long-term impact of an asset sale must be carefully analyzed to assess such matters as relocation and/or exit/re-entry costs, valuation and market timing, community impact, operating cost considerations, risk mitigation/transfer opportunities, and long-term cost and service standard issues. Asset sale proposals will generally be supported by a business case.

Asset sales provide one-time funding. It is essential that proceeds be used to generate future benefits, rather than being spent on immediate, one-off needs.

Major assets are resources of the Corporation and not an asset of any individual department. The determination of proceeds may be net of costs directly linked to the sale of the asset.

Council and Civic Administration will have consideration of the Corporation's Strategic Plan and its Official Plan when contemplating the sale of a major asset.

- 4.1.1. In conformity with Section 106 of the *Municipal Act, 2001* (as amended), no property of the municipality shall be sold at below fair market value.

The proceeds from the sale of a major asset should not be used for the following purposes:

- a) to reduce tax rate/budget pressure;
- b) to provide a source of funding for a new asset that does not produce a return on investment; or,
- c) to fund ongoing/permanent expenditures.

- 4.1.2. The proceeds from the sale of an asset should be used in the following priority order:

- a) substitute funding for approved but unissued debt;
- b) purchasing a new asset(s) that produces a return on the investment (both financial and non-financial value improvements); and,
- c) investments that generate predictable interest revenue, noting that only interest proceeds may be used to provide one-time or ongoing contributions for strategic initiatives.

In the event that Council disposes of a productive asset that provided financial contributions to the Corporation beyond cost recovery, any budgetary shortfalls must be addressed through investment returns from the proceeds and/or additional tax revenues.

4.2. Procedures

Council will determine if a major asset shall be offered for sale, based on the outcomes of a strategic review and/or through the process outlined in the Sale and Other Disposition of Lands Policy.

The following procedures will be followed in the event that Council has approved an asset for disposal:

- 4.2.1. Major venues, non-core services and assets

- a) Civic Administration will be directed by Council to identify the recommended means for the sale of the asset.

- b) Council will approve the means of sale.
- c) The City Treasurer will submit a recommendation to Council for the allocation of proceeds generated from the sale of the asset.
- d) Council will approve the allocation of proceeds based on the recommendation of the City Treasurer and/or the strategy identified in this policy.

4.2.2. Strategic lands and assets

- a) The City Manager may identify lands or other assets as strategic in nature, given unique community benefits. Subsequently, Civic Administration will recommend the means for the sale of the asset.
- b) Council will approve the means of sale.
- c) The City Treasurer will submit a recommendation to Council for the allocation of proceeds generated from the sale of the asset, which may include contributions to off-set costs associated with the sale and/or other linked community benefits.
- d) Council will approve the allocation of proceeds based on the recommendation of the City Treasurer and/or the strategy identified in this policy.

4.2.3. Surplus land

- a) The City Treasurer, upon the advice of the Manager of Realty Services, will determine the appropriate method of sale, per the Sale and Other Disposition of Lands Policy.
- b) The City Treasurer will determine the allocation of proceeds generated from the sale of surplus land, based on the strategy identified in this policy.

4.2.4. Land purchased for growth or lifecycle renewal infrastructure projects

- a) The City Treasurer, upon the advice of the Manager of Realty Services, will determine the appropriate method of sale, per the Sale and Other Disposition of Lands Policy.
- b) The City Treasurer will determine the allocation of proceeds generated from the sale of land, based on the strategy identified in this policy. Two circumstances are contemplated:
 - i) Sale proceeds below the purchase price of the original asset: The allocation will be to direct the proceeds to the project account for which the lands were purchased (e.g., a property purchased for a road widening).
 - ii) Sale proceeds above the purchase price of the original asset: The allocation will be to direct an amount equal to the original purchase price to the project account for which the lands were purchased. Proceeds above the amount of the original purchase price will be allocated consistent with the strategy identified in this policy.

APPENDIX B58

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-130-382 being "Asset Transfers To Municipal Services Corporations 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-130-382 being "Asset Transfers To Municipal Services Corporations Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-130-382 being "Asset Transfers To Municipal Services Corporations Policy" is hereby amended by deleting Appendix "C(48)" to By-law No. CPOL.-130-382 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Asset Transfers To Municipal Services Corporations Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-130-382)

Last Review Date: June 25, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

- 1.1. This policy is intended to address asset transfers to corporations as required under section 7 of Ontario Regulation 599/06 under the Municipal Act, 2001. as amended from time to time.

Purpose

- 1.2. The purpose of this policy is to permit transfers of municipal assets to municipal services corporations incorporated by the Municipality under the authority of the Municipal Act, 2001 as amended from time to time.

Goals

- 1.3. In considering whether to authorize a proposed transfer of Assets to a Corporation, Council may have regard, among other matters, to the extent to which the proposed transfer will achieve one or more of the following objectives:
- a) Optimize the use and value of Assets;
 - b) Advance the City's economic development and its economic competitiveness;
 - c) Attract targeted industries, stimulate the creation of desirable employment, regenerate neighbourhoods and advance employment opportunities;
 - d) Achieve sustainable growth and the regeneration of infrastructure and land use;
 - e) Ensure stewardship of the natural environment;
 - f) Support the creation of new affordable housing; and/or
 - g) Achieve social objectives and an enhanced quality of life for the citizens of London.

2. Definitions

- 2.1. **Act** – *Municipal Act, 2001*, including Regulations made under it, as amended from time to time.
- 2.2. **Asset(s)** – real property and personal property of the Municipality.
- 2.3. **Corporation** - a corporation incorporated in accordance with section 203 of the Act and Section 3 of Ontario Regulation 599/06 made under the Act.
- 2.4. **Council** – the Municipal Council of The Corporation of the City of London.
- 2.5. **Municipality** – The Corporation of the City of London.

3. Applicability

- 3.1. Assets may be transferred to a Corporation at any time, and from time to time, as authorized by Council, on such terms and conditions as Council may determine.
- 3.2. Exclusions

This policy is not applicable to Asset transfers within departments or Service Areas of the Municipality.

4. The Policy

The Municipality may transfer such Assets as it sees fit to Corporations on the following terms:

- 4.1. The Municipality shall ensure that all applicable legislation, including but not limited to the *Municipal Act, 2001*, is adhered to in any Asset transfer;
- 4.2. Any Asset transfer must be approved by the Council in advance of the transfer;
- 4.3. The Council shall be permitted to attach such terms and conditions to the Asset transfer as it deems necessary, including but not limited to:
 - a) Specifying the permitted use of the Assets;
 - b) Providing for an obligation on the Corporation to transfer back to the Municipality the Asset upon the happening of an event or events;
 - c) Restricting or prohibiting further transfers of the Assets by the Corporation;
 - d) Attaching a purchase price of the Asset, to be paid or owed to the Municipality by the Corporation;
 - e) Such other terms or conditions as the Council deems advisable and appropriate.

APPENDIX B59

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-173-425
being "Conveyance of Sanitary Filled Land".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-173-425 being "Conveyance of Sanitary Filled Land" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-173-425 being "Conveyance of Sanitary Filled Land" is hereby amended by deleting Appendix "C(92)" to By-law No. CPOL.-173-425 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Conveyance of Sanitary Filled Land

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-173-425)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the conveyances of sanitary filled land in the City of London.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all conveyances of sanitary filled land in the City of London.

4. The Policy

The City Solicitor shall ensure, wherever possible, that the conveyances of sanitary filled land in the City of London include a covenant to the effect that the land contains sanitary fill.

APPENDIX B60

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-174-426
being "Real Estate Service – MLS".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-174-426 being "Real Estate Service – MLS" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-174-426 being "Real Estate Service – MLS" is hereby amended by deleting Appendix "C(93)" to By-law No. CPOL.-174-426 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Real Estate Service – MLS

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-174-426)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the listing of properties for lease with the Real Estate brokerage community.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to listing of properties for lease with the Real Estate brokerage community.

4. The Policy

When the City wishes to list properties for lease with the Real Estate brokerage community, the properties shall be listed with the London and St. Thomas Association of Realtors using the Multiple Listing Service.

APPENDIX B61

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-175-427
being "Financing of Sales".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-175-427 being "Financing of Sales" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-175-427 being "Financing of Sales" is hereby amended by deleting Appendix 'C(94)' to By-law No. CPOL.-175-427 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Financing of Sales

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-175-427)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on financing of sales on City-owned land and/or buildings.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the financing of sales on City-owned land and/or buildings.

4. The Policy

The City of London shall not entertain requests for the provision of long term financing on the sale of City-owned land and/or buildings as it is not a function of the Municipality to provide mortgage funds.

APPENDIX B62

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-176-428
being "Transactions Involving Elected Officials".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-176-428 being "Transactions Involving Elected Officials" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-176-428 being "Transactions Involving Elected Officials" is hereby amended by deleting Appendix 'C(95)' to By-law No. CPOL.-176-428 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Transactions Involving Elected Officials

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-176-428)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on property transactions involving Elected Officials.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to property transactions involving Elected Officials.

4. The Policy

In those instances where property transactions involve Elected Officials:

- a) the Manager of Realty Services shall obtain an independent third party fee appraisal and review this to ascertain if the report contains the information required and that the value arrived at is supported by pertinent facts;
- b) the Manager of Realty Services shall be authorized to encourage the individual involved to obtain their own independent third party fee appraisal from a recognized appraiser;
and
- c) the Manager of Realty Services shall be authorized to determine a fair compensation using the two values so obtained.

APPENDIX B63

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-177-429
being "Property for Capital Works Projects".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-177-429 being "Property for Capital Works Projects" to for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-177-429 being "Property for Capital Works Projects" is hereby amended by deleting Appendix 'C(96)' to By-law No. CPOL.-177-429 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Property for Capital Works Projects

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-177-429)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on property for capital works projects.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all capital works projects for the City of London.

4. The Policy

- 4.1. The Manager of Realty Services, at the request of the City Engineer, will provide the City Engineer with an in-house estimate of property cost for all capital works projects at the preliminary engineering stage; it being noted that the validity of such estimates will be restricted to a specific time frame, based on an evaluation of property market conditions by the Realty Services Division.
- 4.2. The initiating report on a capital works project will contain a recommendation that expropriation procedures be initiated by the Realty Services Division if, in the opinion of the Realty Services Division, such action is necessary following approval by Council of the initiating report. The Civic Administration in this event is automatically authorized to take all administrative action required to carry out the expropriation.
- 4.3. As soon as possible after the City Council approves the initiating report, the Environmental & Engineering Services Department will supply the Realty Services Division with the following:
 - a) a Property Request Plan and Property Request Form; a property plan (registered deposit plan) prepared by an Ontario Land Surveyor and registered-- details of shape; size; measurements; bearings; R.P. lot no.; registered owner; instrument number; area in square feet and acres, of land required;
 - b) a project conceptual plan prepared by the Environmental & Engineering Services Department or consultant containing present property lines and improvements; the exact location of trees, hedges, fences, driveways, buildings, fire hydrants, hydro poles; proposed new property lines and improvements;
 - c) a schematic drawing of structures to be erected on or adjacent to private property; and
 - d) a proposed project schedule containing the timetable for property acquisition, tender call, start and completion of the project.
- 4.4. On receipt of the property plans from the City Engineer, the Realty Services Division will prepare a project property report for submission "in camera" to the appropriate Standing Committee, listing all properties required with an estimate of the value of each property. When all property is acquired, a completed project property report will be submitted "In Camera" to the appropriate Standing Committee, giving the estimated and actual price paid for each property and an explanation of any major variance.
- 4.5. On receipt of the required information from the City Engineer, the Realty Services Division will contact all property owners involved and attempt to negotiate a fair settlement in the form of an Agreement of Purchase and Sale executed by the registered owner.

Agreements of Purchase Sale shall be subject to the following:

- a) the Agreement shall name the Solicitor acting on behalf of the offer or;
 - b) a deposit of \$2.00 will be paid, and a receipt given at the time of the execution of the document;
 - c) all acceptable conditions will be included and will form part of the Agreement;
 - d) all subsequent changes to an Agreement shall be initialed by all parties;
 - e) the acceptance time of an Agreement shall cover a minimum of two City Council meetings; and
 - f) all signatures shall be sealed and witnessed at the time of assignment.
- 4.6. All Agreements as received will be processed in keeping with applicable legislation through the appropriate Standing Committee and City Council, and shall be accompanied by the following:
- a) the approval of the Realty Services Division and/or the City Solicitor as to the form of the Agreement;
 - b) the approval of the Environmental & Engineering Services Department with regard to conditions relative to engineering matters; and
 - c) a letter to the appropriate Standing Committee from the City Treasurer, containing a clear recommendation, plus the following background material: - project title; account number; availability of funds; assessment and current taxes, where practical; legal description; size; conditions of sale; registered owners; R.D.P. and Part No.; municipal no. and location; file no.; building description and the estimate of property value prepared by the Realty Services Division or by an independent third party fee appraisal.
- 4.7. Following the initial contact with all registered owners, and after consultation with the Environmental & Engineering Services Department, the Realty Services Division will initiate expropriation procedures, if required, and advise the appropriate Standing Committee and the City Engineer of the estimated effect on property costs and project scheduling of this action.
- The initiation of expropriation procedure will not preclude further negotiations by the Realty Services Division to acquire the property.
- 4.8. Copies of the City Council's resolution and the accepted Agreement signed by the Mayor and the City Clerk shall be forwarded to the City Solicitor for closing of the transaction. The Realty Services Division will maintain liaison with the City Solicitor and if Agreements are not closed within the prescribed time limit, both parties to the Agreement will record an agreement to extend the time of closing and the City Solicitor will advise the Realty Services Division of such time extension.
- 4.9. On completion of a capital works project, the Realty Services Division shall review all land surplus to the project requirement and if the enquiry procedure carried out by the Realty Services Division indicates no further public use for such land, the Realty Services Division will attempt to dispose of the land in accordance with the prescribed policy.
- 4.10. A monthly meeting will be held by the Realty Services Division and/or the City Solicitor's Office staff to review the monthly Property Status Report and ensure adequate liaison on all property matters affecting Capital Works Projects.

APPENDIX B64

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-178-430
being "Internal Review of Property Sales".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-178-430 being "Internal Review of Property Sales" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-178-430 being "Internal Review of Property Sales" is hereby amended by deleting Appendix 'C(97)' to By-law No. CPOL.-178-430 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Internal Review of Property Sales

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-178-430)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the internal review of property sales.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all City-owned properties.

4. The Policy

That a policy be established such that no City-owned property, unless covered by a specific policy, be offered for sale or long-term lease until an internal review of that property is carried out by the Administration and a recommendation as to its designation is formulated and approved by the appropriate Standing Committee and City Council.

APPENDIX B65

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-179-431
being "City-Owned Residential Properties".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-179-431 being "City-Owned Residential Properties" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-179-431 being "City-Owned Residential Properties" is hereby amended by deleting Appendix 'C(98)' to By-law No. CPOL.-179-431 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: City-Owned Residential Properties

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-179-431)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on City-owned residential properties.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all City-owned residential properties.

4. The Policy

4.1. Inspection and Repair of Premises:

- a) Immediately on acquisition of land that includes a residential building the Realty Services Division will carry out an inspection of the property and complete a Property Inspection Report.
- b) On the termination of any existing tenancy the Realty Services Division will carry out an immediate inspection of the property; but in any event all city-owned residential premises will be inspected once per year.
- c) Upon acquisition of property or the termination of an existing tenancy, the Realty Services Division will examine the premises and secure, adjust, or make safe, all electrical, heating, gas, oil and water systems.
- d) If repairs are indicated from the inspection, the Realty Services Division shall obtain an estimate of the cost of such repairs.
- e) Where repairs are required and the estimate is reasonable in view of the continuing viability of the property, the Realty Services Division will issue a work order with the cost to be charged to the Maintenance of Rented Property Account. In the event the property is considered in poor condition, with a low future anticipated income, and repair costs are economically prohibitive, the Realty Services Division will recommend to Council that the premises be sold for removal from the land or demolished.

4.2. Renting Procedure:

- a) After inspection of a new residential property and the completion of improvements the Realty Services Division will establish a monthly rent comparable to the existing market conditions for residential units in the City.
- b) On termination of any existing tenancy the Realty Services Division will review the monthly rent; but in any event the rents charged on all City-owned residential property will be reviewed once per year.
- c) Upon receiving vacant possession of a residential property in adequate condition to rent, the Realty Services Division will publicly advertise the property.
- d) Applicants for rental accommodation shall submit a rental application and the Realty Services Division will carry out any enquiries deemed necessary with the references indicated by the applicant, inclusive of a credit check.
- e) Unless otherwise approved by City Council, no residential lease will be for more than one year, and satisfactory applicants will be required to sign a Rental Agreement Form witnessed by a member of the Realty Services Division and

accompanied by payment of the first and last months' rent, before being allowed to enter the premises.

- f) A copy of the Rental Agreement will be retained by the Realty Services Division, which will be responsible for recording, collecting and following up on all rents.
- g) In the case of non-payment of rent, the Realty Services Division will:
 - i) After 15 days a reminder notice will be sent;
 - ii) After 30 days of original due date a final notice will be sent requesting immediate payment or notice of termination of lease will be forthcoming;
 - iii) After 45 days of the original due date the City Solicitor will be notified and requested to proceed to terminate the lease and undertake eviction proceedings if necessary, in accordance with applicable legislation. A copy of this correspondence shall be filed with the Realty Services Division.

4.3. Disposal or Demolition of Buildings:

- a) Where it is the opinion of the Realty Services Division that the cost of maintaining a property suitable for renting is economically prohibitive the Realty Services Division shall recommend to City Council:
 - i) Where there is a possibility of removing the buildings from the land, that the Purchasing Agent be authorized to call tenders for the sale of the building;
 - ii) Where conditions warrant demolition that the Purchasing Agent be authorized to request bids for the demolition of the buildings where warranted under the prescribed delegated authority and associated limits.
- b) Before making a recommendation to City Council on the disposal or demolition of a building, the Realty Services Division will carry out an enquiry procedure with relevant departments, boards and commissions to ascertain any alternative use for the building.
- c) Where the building has been advertised for sale and no bids are forthcoming, the Purchasing Agent is authorized to proceed to call tenders for demolition.

APPENDIX B66

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-180-432
being "Property Enquiries to Board of Education".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-180-432 being "Property Enquiries to Board of Education" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-180-432 being "Property Enquiries to Board of Education" is hereby amended by deleting Appendix 'C(99)' to By-law No. CPOL.-180-432 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: Property Enquiries to Board of Education

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-180-432)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on property enquiries forwarded to Local Boards of Education.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to any property enquiries forwarded by the City of London to Local Boards of Education.

4. The Policy

Local Boards of Education shall be allowed a period of 90 days to reply to any property enquiries forwarded to it by the City of London as a reciprocal arrangement in view of the fact that the local Boards of Education presently allow the City of London a similar period of time to reply to their enquiries, as required by Ontario Regulation 444/98 of the *Education Act*.

APPENDIX B67

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-181-433 being “Demolitions of Buildings on Flood Plain Lands”.

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-181-433 being “Demolitions of Buildings on Flood Plain Lands” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-181-433 being “Demolitions of Buildings on Flood Plain Lands” is hereby amended by deleting Appendix ‘C(100)’ to By-law No. CPOL.-181-433 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Demolitions of Buildings on Flood Plain Lands

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-181-433)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the demolitions of buildings on flood plain lands.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the demolition of all buildings on flood plain lands.

4. The Policy

That the following policy be established with regard to the demolition of buildings on flood plain lands:

- a) should an inspection reveal a City-owned structure on Flood Plain to be in need of major repairs, the Realty Services Division will request an estimate for adequate repairs from the Facilities or an independent contractor;
- b) upon receipt of this estimate, and noting the economic feasibility of retaining the subject building, the Realty Services Division will prepare a report for to the appropriate Standing Committee, including a property description, cost of repairs and a recommendation with respect to possible demolition.

APPENDIX B68

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-182-434
being "Rental of Lands for Billboards".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-182-434 being "Rental of Lands for Billboards" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-182-434 being "Rental of Lands for Billboards" is hereby amended by deleting Appendix 'C(101)' to By-law No. CPOL.-182-434 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Rental of Lands for Billboards

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-182-434)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the rental of City-owned properties and all other properties in the City of London for billboards.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all City-owned properties and all other properties in the City of London.

4. The Policy

The rental of City-owned properties for billboards and all other properties in the City of London, shall be subject to the following guidelines:

- a) Such use should be in conformity with the Zoning By-law and should respect the height and setback regulations for structures.
- b) Such use should be in conformity with the Official Plan policies which relate to billboards.
- c) Such use should be in conformity with the Sign By-law.
- d) Billboard locations which were in conformity with the Zoning By-law when originally leased but which are now not in conformity with the Zoning By-law or the Official Plan shall be phased out at the termination of the lease so that the billboard industry can adjust to the situation and make alternate plans. Open space areas in City ownership generally should not be leased for billboards but such use could be considered where the open space area lacks natural amenity and will not be put into developed parkland in the near future or where the billboard can be considered to screen unsightly industrial or commercial uses.
- e) Special consideration should be given to billboards at the major approaches to the Central Business District and in the "Forks Area". It is desirable to eliminate the billboards from such locations particularly where they are obscuring a desirable vista or view. They may be considered permissible where they are compatible with adjacent uses and do not interfere with any vista.

APPENDIX B69

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-183-435
being "Leasing and Licencing of City-Owned Land".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-183-435 being "Leasing and Licencing of City-Owned Land" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-183-435 being "Leasing and Licencing of City-Owned Land" is hereby amended by deleting Appendix 'C(102)' to By-law No. CPOL.-183-435 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Leasing and Licencing of City-Owned Land

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-183-435)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the leasing and licencing of City-owned lands.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all City-owned lands.

4. The Policy

VACANT CITY-OWNED LANDS

- 4.1. When an application has been received, the Realty Services Division initiates action to rent vacant City-owned and/or controlled lands for other than agricultural purposes, the Realty Services Division will ascertain if there are any restrictions or conditions on renting that may be imposed by any City Department, Board or Commission, and further confirm that the intended use is permitted under the existing Zoning By-laws with due consideration being given to the Official Plan.
- 4.2. If there are no objections from the Administration, the Realty Services Division will contact the abutting property owner(s) where possible, and advise them that the City intends to rent the lands and of the proposed use.
- 4.3. If there are no objections from the abutting owner(s), and providing the term is for one year or less, with a 60 day cancellation clause, the Realty Services Division will estimate market rent and after giving the abutting owner(s) an opportunity to rent on those terms and if not accepted by the abutting owner(s), advertise the property for rent.
- 4.4. Should objections be received from the abutting owner(s), the Realty Services Division will first contact the objectors and attempt to answer the objections and failing that, forward its recommendations with the objections to the appropriate standing committee for consideration.
- 4.5. If authority is then received to rent, advertising will commence to rent the property in accordance with Council's instructions with all Offers to Rent received, delivered to the Manager of Realty Services.
- 4.6. Where a prospective Lessee requests a term of more than one year, the Realty Services Division will prepare a lease and forward the same lease along with its recommendations through the Managing Director to the appropriate standing committee and Council for their consideration.
- 4.7. Collection of revenue and Policy regarding non-payment of rent will follow existing policy.

RENTING OF VACANT CITY-OWNED LANDS FOR AGRICULTURAL PURPOSES

- 4.8. When an application has been received, the Realty Services Division initiates action to rent vacant City-owned and/or controlled lands for other than agricultural purposes. The Realty Services Division will ascertain if there are any restrictions or conditions on renting that may be imposed by any City Department, Board or Commission, and further confirm that the intended use is permitted under the existing Zoning By-laws with due consideration being given to the Official Plan.

- 4.9. If there are no objections from the Administration on renting the lands, the Realty Services Division, will prepare specifications and recommend to City Council that the Manager of Purchasing be authorized to call tenders for the rental of the property, with such bids to indicate the price, terms and the intended crop or use.
- 4.10. Upon the opening of the tenders the Manager of Purchasing shall forward them to the Realty Services Division for recommendation.
- 4.11. Collection of revenue and steps for non-payment of rent will follow existing Policy.
- 4.12. Persons renting City-owned farm land shall pay to the City 100% of the annual rental fee at the time of the signing of the lease/rental agreement.

APPENDIX B70

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-184-436
being "Real Estate Services".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-184-436 being "Real Estate Services" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-184-436 being "Real Estate Services" is hereby amended by deleting Appendix 'C(103)' to By-law No. CPOL.-184-436 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Real Estate Services

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-184-436)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the use of real estate services.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to real estate services for listing surplus properties currently offered by the City of London, strategic advisory and consulting, transaction management, research and analysis and project management.

4. The Policy

At the discretion of the Manager, Realty Services, real estate services, where required, will utilize the established Broker of Record where practical to do so. Should a Broker of Record not be established, on the recommendation of the Manager, Realty Services an alternate service provider may be selected. The services to be provided include listing surplus properties currently offered by the City of London, strategic advisory and consulting, transaction management, research and analysis and project management. Brokerage fees associated with the services commissioned will be negotiated by the Manager, Realty Services, subject to existing agreements in compliance with the City's prescriptive delegation of authority provisions.

APPENDIX B71

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-185-437
being "Lands for Public Works Projects".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-185-437 being "Lands for Public Works Projects" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-185-437 being "Lands for Public Works Projects" is hereby amended by deleting Appendix 'C(104)' to By-law No. CPOL.-185-437 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Lands for Public Works Projects

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-185-437)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the acquisition of properties required for public works projects.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all properties required for public works projects.

4. The Policy

The following Frequently Asked Questions (FAQs) shall be provided by the Civic Administration in connection with the acquisition of properties required for public works projects:

4.1. DOES THE CITY DO ANYTHING BEFORE IT EXPROPRIATES PROPERTY?

Yes it does. The City makes every effort to negotiate a fair agreement of purchase and sale with a property owner before resorting to expropriation. The City's objective is to ensure that individual rights are respected and protected and to provide fair compensation for any property acquired within the framework of the Expropriations Act. When a project is to be constructed in phases, the City will generally try to acquire those properties that are needed first, but will nonetheless negotiate for property in any phase if the owner wishes to sell.

This is typically how it's done. A City Realty Services representative contacts the owner to discuss acquisition terms after the City has had an independent appraisal firm appraise the agreement. The owner has the option to obtain another independent appraisal to assist them in assessing the offer of compensation, as well. (See Questions 4.2. and 4.12. below regarding owner costs).

4.2. WHAT HAPPENS IF AN AGREEMENT IS REACHED?

The owner is usually then asked to execute an "Agreement of Purchase and Sale" offering to sell their property to the City, which is then recommended to City Council for acceptance. In some extenuating situations, the City may make an offer to purchase. In either case, once the offer is accepted, a binding agreement of purchase and sale exists between the owner and the City. When a mutually acceptable agreement is reached, it is the City's practice to pay the owner's reasonable legal and appraisal costs after the completion of the transaction.

4.3. WHAT CAN I EXPECT TO BE PAID FOR?

The amount that an owner receives covers such things as:

- the market value of the land,
- damages due to disturbance,
- damages for injurious affection, and
- any special difficulties in relocating.

4.4. WHAT IS MEANT BY "MARKET VALUE"?

"Market value" is the amount that might be expected if the property were sold in the open market by a willing seller to a willing buyer. An additional allowance may be considered for improvements, the value of which may not be reflected in the property's market value, such as trees and landscaping.

4.5. WHAT DOES "DAMAGES DUE TO DISTURBANCE" INCLUDE?

Where the owner resides on the property, "damages attributable to disturbance" include:

- any reasonable costs that naturally and reasonably result from the City's acquiring the property;
- an allowance for inconvenience;
- an allowance (up to 5 % of the property's market value) toward the cost of finding another residence, provided the property is not already being offered for sale when the City acquires it.

4.6. WHEN ARE "DAMAGES FOR INJURIOUS AFFECTION" PAID?

Where only a portion of the property is acquired rather than everything, "damages for injurious affection" are based upon the reduction in the market value of the remaining property after the partial property purchase.

4.7. WHAT IS INCLUDED IN "RELOCATION COSTS"?

"Relocation costs" are usually only paid when the entire property is acquired. This may include reasonable moving, legal, survey and other non-recoverable expenses incurred in the property owner acquiring other premises.

4.8. WHAT CAN AN OWNER DO WHO DOESN'T FEEL EXPROPRIATION IS JUSTIFIED?

If following every effort to negotiate a fair agreement, it is necessary for the City expropriate a property, a "notice of intention to expropriate" is sent to the owner. Within 30 days, the owner may request a hearing of necessity into whether the taking of the property is "fair, sound and reasonably necessary" to achieve the City's objectives. The owner can appear alone or with a lawyer before the inquiry which is conducted by a provincially-appointed inquiry officer. The inquiry officer does not have authority to deal with the property's value but they must give the City Council a written opinion with reasons as to whether the expropriation is justified. After considering the report, City Council decides whether to go ahead with expropriation.

4.9. IN AN EXPROPRIATION, WHEN DOES THE CITY OWN AND OCCUPY THE PROPERTY?

The City takes title to the property by registering an expropriation plan in the Land Registry Office. Within 30 days after that, the City serves the owner with an expropriation notice. Although the City, or its appointed appraiser, can inspect the property to appraise its value, the City cannot actually take possession until the owner has been given at least three months' advance notice. Court proceedings are available to the owner to postpone the possession date and to the City to overcome resistance to allowing possession.

4.10. DOES THE CITY MAKE ANY FURTHER OFFER OF MONEY FOR THE PROPERTY?

Within three months of registering the expropriation plan and before taking possession, the City must offer the owner an amount in full compensation together with the appraisal report upon which the offer is based. If the owner agrees with the amount offered, the matter can be settled at this point. If not, the owner can still have the money paid to them and have the value established by the Board of Negotiation or the Ontario Municipal Board.

4.11. HOW DOES THE QUESTION OF COMPENSATION GET BEFORE THE ONTARIO MUNICIPAL BOARD?

Two separate boards exist to deal with property value: the Board of Negotiation and the Ontario Municipal Board. Either the owner or the City can apply to either board. The Board of Negotiation meets with the owner and a City representative at the property and attempts in an informal way to negotiate a complete settlement. The Board of Negotiation recommendation is not binding on either part. If a settlement is not reached at the Board of Negotiation hearing, the Ontario Municipal Board can arbitrate the dispute. The matter can go directly to the Ontario Municipal Board, but only if the owner and the City agree to by-pass the Board of Negotiation. The OMB decision is binding, unless appealed by either party to the Divisional Court.

4.12. WHO PAYS THE OWNER'S COSTS IN HAVING COMPENSATION DETERMINED?

If the amount determined by the Ontario Municipal Board represents 85 per cent or more of the amount offered by the City before expropriation, the owner is entitled to be reimbursed for reasonable legal, appraisal and other costs actually incurred for determining compensation. The owner is also entitled to be paid interest on any outstanding difference between the Board's award and any payment made previously by the City.

NOTE: This brochure answers the most common questions an owner may have whose property is affected by a public works project. Because this has been prepared for information and convenience only, it is not intended to be an authoritative digest of expropriation law or of the City's policies and procedures. A lawyer should be consulted for specific legal advice; however any further questions you may have about this subject may be directed to:

Manager of Realty Services
Realty Services Division
The Corporation of the City of London
P.O. Box 5035
London, Ontario N6A 4L9
(519) 661-5442

APPENDIX B72

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-187-439
being "Donation of Land and Buildings to the 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-187-439 being "Donation of Land and Buildings to the City" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-187-439 being "Donation of Land and Buildings to the City" is hereby amended by deleting Appendix 'C(106)' to By-law No. CPOL.-187-439 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Donation of Land and Buildings to the City

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-187-439)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the donation of lands and buildings to the City of London.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all events of a significant donation of lands and/or buildings to the City of London.

4. The Policy

The following guidelines shall be applied in the event of a significant donation of lands and/or buildings to the City:

- 4.1. The Civic Administration is to submit an initial report to Council through the appropriate Standing Committee at the outset of contact and discussion with the potential property donor. This initial report will, among other things, indicate the nature of any further studies or investigations recommended and provide preliminary estimates of the cost of obtaining outside experts/consultants in assessing the building/property condition. This initial report will be on a confidential basis unless consent for disclosure is received from the potential property donor.
- 4.2. Based on this initial report, Council may authorize the Civic Administration either to proceed with further discussions and evaluation or to decline the donation.
- 4.3. Where the Civic Administration is authorized to proceed, the Civic Administration is to evaluate the proposal including:
 - a) developing a financial model which estimates capital costs and identifies secured revenues, forecasts future operating costs, explores potential use, and any recommended model for restoration/repair where appropriate;
 - b) preparing a condition study/building audit for any structures on the subject property, undertaken "in house" by qualified City staff or obtained from a qualified outside consultant;
 - c) where appropriate, undertaking a risk assessment analysis and estimated contingency allowance for any forecast expenditures, where the ability to conduct a comprehensive building audit is constrained (i.e. because of existing tenants or third party occupancy);
 - d) undertaking a review, if available, of previously obtained building audits, plans and studies completed by the property donor, including historical data on any renovations, alterations, expansions, etc., that have been undertaken;
 - e) in the case of proposed land donations, where appropriate, preparing "in house" by qualified City staff or obtaining from an outside qualified consultant a Phase I environmental audit and where appropriate a Phase II environmental study report (soil testing and geotechnical investigation); and
 - f) where the donated property contains buildings which are recommended for demolition, formulating, where possible, an estimate of the costs of removal of any structures from the property proposed for donation.
- 4.4. The Civic Administration is to report its evaluation to the Municipal Council with its recommendation for approval or otherwise.

- 4.5. Where the Municipal Council authorizes proceeding with accepting the donation, the Civic Administration is to obtain and review an independent market value appraisal of the donated property to be completed in accordance with the current regulations of Revenue Canada for the purposes of issuing an income tax receipt.
- 4.6. It is recognized that this policy may have limited application, if any, to a significant bequest of property to the City under the will of a deceased individual, because of the unique nature of a bequest. The City is not obligated in law to accept a bequest, and the City's acceptance or not of a bequest will be determined on a case-by-case basis.

APPENDIX B73

Bill No.
2018

By-law No.

A by-law to amend By-law No. A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*.

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 on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001* (the "Council Policy By-law");

AND WHEREAS it is deemed expedient to amend Schedule A – Sale and Other Disposition of Land Policy to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being the "Sale and Other Disposition of Land Policy", is hereby amended by deleting Schedule "A" to By-law No. A.-6151-17 in its entirety and replacing it with the attached new Schedule "A", which shall be Schedule "A" to By-law A.-6151-17.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Sale and Other Disposition of Land Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

The City will dispose of surplus land in an open and transparent process to ensure that the consideration for such disposal is fair, reasonable and in the best interest of the City.

2. Definitions

2.1. **Appraisal** - means a fair market valuation of the land that is satisfactory to the Manager of Realty Services.

2.2. **Disposition** - means the sale, transfer, conveyance or exchange of the fee simple interest in land or the granting of a lease for a term of twenty-one (21) years or longer, and does not include the granting of an easement or right of way, and "disposal" shall have a similar meaning;

2.3. **Land** - means real property owned by the City;

2.4. **Surplus** - means property that the City no longer requires to meet its current or future needs;

3. Applicability

This policy applies to the sale or other disposal of land by The Corporation of the City of London (the City).

This policy does not apply to the sale or other disposition of land by the City to the Housing Development Corporation, London.

4. The Policy

The following procedures shall apply to the disposal of real property by the City. Prior to the disposal of any real property by the City of London which has the potential for development as affordable housing, the Housing Development Corporation will be provided with the opportunity to advise Council if the property should be retained by the City or transferred to the Housing Development Corporation for affordable housing purposes.

4.1. Declaration of Surplus Property

- a) Prior to the disposal of land by the City, the Municipal Council shall declare the land to be surplus in the following manner:
 - i) the City Treasurer, upon the advice of the Manager of Realty Services will submit a report to the appropriate Standing Committee recommending that the land in question be declared surplus to the needs of the City;
 - ii) where the appropriate Standing Committee deems it advisable to adopt the recommendation of the City Treasurer with respect to declaring any land owned by the City to be surplus, the Standing Committee will submit a recommendation to the Municipal Council recommending that the land in question be declared surplus to the needs of the City;
 - iii) where the Municipal Council deems it advisable to adopt any recommendation from the Standing Committee with respect to declaring any land owned by the City surplus;
 - iv) the Municipal Council will, in a meeting open to the public, pass a resolution declaring any such land surplus to the needs of the City.
- b) Notwithstanding the foregoing, the following classes of land are exempt from the requirement to declare such land surplus prior to its disposal:

- i) all land owned by the City that is zoned for industrial uses;
- ii) all cemetery plots owned by the City;
- iii) any land transferred to the City for security or for temporary roads or other works in connection with any agreement to which the City is a party under the *Planning Act*, R.S.O. 1990, c. P. 13 as amended.

4.2. Appraisal

- a) The City, before disposing of land, shall obtain at least one appraisal of the land to be disposed of.
- b) Notwithstanding the foregoing, the following classes of land are exempt from the requirement to obtain an appraisal prior to its disposal:
 - i) land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*;
 - ii) closed highways, roads and road allowances;
 - iii) land formerly used for railway branch lines if sold to an owner of land abutting the former railway land;
 - iv) land that does not have direct access to a highway if sold to the owner of land abutting that land;
 - v) land repurchased by an owner in accordance with Section 42 of the *Expropriations Act*;
 - vi) land to be used for sites for the establishment and carrying on of industries and of industrial operations and incidental uses;
 - vii) cemetery plots;
 - viii) disposal to a local board as defined in the *Municipal Affairs Act*;
 - ix) disposal to an authority under the *Conservation Authorities Act*; and
 - x) disposal to the Crown in Right of Ontario or of Canada and their agencies.

4.3. Notice

- a) Upon the Municipal Council having declared land surplus to the needs of the City but before any such land is disposed of by the City, the City Clerk will give notice to the public of the intention of the City to dispose of the land in question.
- b) Where the land to be disposed of is, in the opinion of the Manager of Realty Services, developable as a separate parcel of land, the notice referred to in paragraph 4.3. a) shall be in the following forms:
 - i) publication once of an advertisement in a newspaper of general circulation;
 - ii) the posting of a "For Sale" sign on the land in question; and
 - iii) posting a notice on the City of London "Web Site".
- c) Where the land being disposed of is, in the opinion of the Manager of Realty Services, not developable except in conjunction with other adjacent land, the notice referred to in paragraph 4.3. a) may be in one or more of the forms identified in paragraph 4.3. b) of this Policy.
- d) Notwithstanding the foregoing, no notice to the public of the proposed disposal of any land zoned for industrial uses is required, other than the general marketing of such land by the Manager of Realty Services.

4.4. Methods of Sale

Depending on the nature of the land, various methods may be employed for the disposal of land including, public auction; tender process; listing through the Multiple Listing Service, direct advertising; through direct negotiations with an abutting property owner; or through other direct negotiations when authorized by Municipal Council. The City Treasurer, upon the advice of the Manager of Realty Services, shall be responsible for determining the appropriate method of sale.

4.5. Procedures for Disposal of Industrial Land

- a) In addition to the requirements set out in Sections 4.1. to 4.6. inclusive of this policy, the disposal of serviced industrial land owned by the City will be undertaken in accordance with the applicable part or parts of the Sale of Land Procedures set out in Section 4.10. of the policy.
- b) The sale price for serviced industrial land as adopted by Municipal Council is as set out in Section 4.11. of this policy.
- c) The fee to be paid to Real Estate Agents properly involved in the disposition of City-owned industrial land shall be as set out in Section 4.12. of this policy.

4.6. Procedures for Disposal of Proposal Call

In addition to the requirements set out in Sections 4.1. to 4.6. inclusive of this policy, the disposal of land by proposal call shall be in accordance with the procedures set out in Section 4.13. of the policy.

4.7. Procedures for Disposal of Public Tender

In addition to the requirements set out in Sections 4.1. to 4.6. inclusive of this policy, the disposal of land by public tender shall be in accordance with the procedures set out in Attachment "E" of the policy.

4.8. Procedures for Disposal by Direct Negotiation

In addition to the requirements set out in Sections 4.1. to 4.6. inclusive of this policy, the disposal of land by direct negotiation shall be in accordance with the procedures set out in Section 4.15. of this policy.

4.9. Procedure for Disposal by Public Auction

In addition to the requirements set out in Sections 4.1. to 4.6. inclusive of this policy, the disposal of land by public auction shall be in accordance with the procedures set out in Section 4.16. of this policy.

4.10. Attachment "A"

Disposal of Industrial Land Procedures

- 4.10.1. The purpose of this policy is to establish the terms upon which City-owned serviced industrial land is to be sold and transferred.
- 4.10.2. This policy is to be read and applied fairly and beneficially with such variations as circumstances or the nature of the subject matter require provided the general purpose, intent, meaning and spirit of the policy are maintained.
- 4.10.3. In this policy,
 - a) Commencement of construction means the date upon which a building permit is issued by the City;
 - b) Completion of construction is reached when the building or structure or a substantial part thereof is ready for use or is being used for the purpose intended, and;

- c) Coverage has the meaning ascribed to it under the applicable zoning by-law.

Class 1 Sale

- 4.10.4. A class 1 sale is a sale of a land for the purpose of the construction thereon of a building or structure for a detached industrial use.
- 4.10.5. A class 1 sale shall be subject to the following conditions:
 - a) The purchaser shall commence construction within one year of the registration of the deed or transfer and shall diligently complete construction of the building or structure, in default of which the purchaser shall in the sole discretion of the City reconvey the land to the City in accordance with Section 4.10.18. of this policy and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the City.
 - b) The minimum coverage of the building or structure shall be 15 per cent, provided however that, where the maximum coverage permitted under the applicable zoning by-law is 15 percent or less, the maximum coverage under the zoning by-law shall be deemed to be the minimum coverage required by this condition.
 - c) The purchaser shall not within 10 years of the registration of the deed or transfer convey any vacant part of the land by deed, transfer, grant, assignment, appointment, mortgage, charge, lease or sub-lease (Planning Act, R.S.O. 1990, Chapter P .13), without first notifying the City and, where it has been so notified, the City may either grant its consent (which shall not be unreasonably withheld) to the conveyance or application or may in its sole discretion require the purchaser to reconvey the vacant part to the City in accordance with Section 4.10.18. of this policy and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the City.
 - d) The purchaser shall pay local improvement charges and any other special levies assessed at any time against the land on and after completion of the purchase.
- 4.10.6. The Manager of Realty Services may grant one or more extensions (which in total shall not exceed two years) of the time set out in paragraph (a) of Section 4.5. of this policy within which construction of a building or structure is to be commenced provided the purchaser has filed a written request with the Manager of Realty Services for the extension.
- 4.10.7. A purchaser wishing to notify the City under condition (c) of Section 4.5. of this policy shall file a written request with the Manager of Realty Services who shall submit a recommendation thereon to Council through Board of Control.

Class 2 Sale

- 4.10.8. A class 2 sale is a sale of a land for the purpose of the extension or enlargement of a building or structure erected or to be erected upon land of the purchaser abutting the land.
- 4.10.9. A class 2 sale shall be subject to conditions (c) and (d) of Section 4.5 of this policy and the further condition that the land shall not be used for any purpose other than the extension or enlargement of a building or structure erected or to be erected upon lands of the purchaser abutting the land.

Class 3 Sale

- 4.10.10. A class 3 sale is a sale that is not a class 1 or class 2 sale and that is a sale of a land for the purpose of a use ancillary to a building or structure erected or to be erected upon land of the purchaser abutting the parcel.

- 4.10.11. A class 3 sale shall be subject to conditions (c) and (d) of Section 4.5. of this policy and the further condition that the land shall not be used for any purpose other than a use ancillary to a building or structure erected or to be erected upon land of the purchaser abutting the parcel.

General

- 4.10.12. At least annually, the Manager of Realty Services shall review the pricing of industrial land and if a change in pricing is recommended, shall make a recommendation to Board of Control as to the price per acre at which land should be offered for sale during the ensuing year.
- 4.10.13. Pending receipt of an offer to purchase from a prospective purchaser, land may be reserved for a period of 30 days, provided however that, if during the reserve period the City receives an offer to purchase the same land in accordance with this policy from another prospective purchaser, the first prospective purchaser shall be allowed 5 days after notification within which to submit an offer to purchase at the same price and on the same terms; otherwise the City shall be at liberty to accept the second offer to purchase.
- 4.10.14. A prospective purchaser shall complete and execute an offer to purchase in the form provided by the City accompanied by a deposit payable to the City Treasurer by cash or certified cheque equal to 10 per cent of the total purchase price, and the balance shall be payable subject to usual adjustments upon completion of the transaction.
- 4.10.15. The Manager of Realty Services may submit an offer to purchase for acceptance by the City.
- 4.10.16. The transaction shall be completed within 90 days of the passing of the by-law accepting the offer to purchase or within such further period as may be agreed to between the City Solicitor and the purchaser's solicitor in the best interests of the City.
- 4.10.17. Where, in the City's opinion, land is properly sold through a real estate agent, the City shall pay a fee to the agent not exceeding the scale established by the City upon completion of the transaction but no fee shall be payable if the purchaser is permitted to withdraw from the agreement of purchase and sale prior to the completion of the transaction.
- 4.10.18. Where the whole or any part of land is reconveyed by the purchaser to the City pursuant to a condition of sale or otherwise, the amount payable upon the reconveyance shall be 90 per cent of either the original purchase price (exclusive of interest thereon), if the whole land is reconveyed, or the portion thereof that is in the same ratio as the area of the reconveyed part is to the whole land, subject to adjustments as of the date of reconveyance for taxes, local improvements and other rates and subject, where the City considers necessary, to the City's withholding until a new purchaser is found, an amount sufficient to compensate the City for the cost of restoring the land to its original condition if so required by the new purchaser.
- 4.10.19. The development of the property will be subject to the requirements of the Architectural Control Guidelines as published by the City of London from time to time and the purchaser acknowledges the contents thereof and agrees to conform to those Guidelines.
- 4.10.20. The cost of service connections from the main to the property line is the responsibility of the purchaser.
- 4.10.21. The purchaser accepts the current condition of the site and the cost of removal of topsoil from the site if required is the responsibility of the purchaser.
- 4.11. Attachment "B"

The current pricing levels of all other City industrial parks be established effective June 23, 2016, as follows:

Pricing for serviced industrial land in Innovation Park, Skyway Industrial Park, River Road Industrial Park, and Cuddy Boulevard Parcels:

Lots up to 3.99 acres	\$75,000.00 per acre
4.00 acres and up	\$65,000.00 per acre

Pricing for serviced industrial land in Trafalgar Industrial Park:

All lot sizes - \$55,000.00 per acre.

Surcharges to be added as follows:

Highway 401 Exposure – 15%;
Veteran’s Memorial Parkway Exposure – 5%; and

The cost of service connections from the main to the property line being the responsibility of the purchaser.

Industrial lots are sold on a where is, as is basis, with grading, stripping and removal of excess topsoil being the purchaser’s responsibility and cost. The City will strive to provide grading of the municipal industrial parks on a level-graded basis. Site specific final grading is the responsibility of a purchaser.

4.12. Attachment “C”

Real Estate Commissions for Industrial Land

The fee payable to Real Estate Agents properly involved in the disposal of City owned industrial land be as follows:

- a) Transactions up to \$100,000 - 5%
- b) Transactions up to \$200,000 - 5% for the first \$100,000
3% above \$100,000 to \$200,000
- c) Transactions over \$200,000 - 5% for the first \$100,000
3% above \$100,000 to \$200,000
2% above \$200,000 for remainder

4.13. Attachment “D”

Disposal of Land – Proposal Call Procedure

- 4.13.1. Where land, in the opinion of the Manager of Realty Services, may be suitable for major redevelopment, the General Manager of Finance and Corporate Services will recommend that proposal call documents be drafted.
- 4.13.2. When the document has been prepared, notice of the proposal call will be in accordance with the notice provisions of this policy.
- 4.13.3. Sealed proposal calls will be opened at the appointed time in accordance with the City’s tendering policy and referred to the Civic Administration for its consideration and recommendation through the General Manager of Finance and Corporate Services to Board of Control.
- 4.13.4. Further direct negotiations with proponents will be at the direction of Board of Control and Municipal Council.

4.14. Attachment “E”

Disposal of Land – Public Tender Procedure

- 4.14.1. The Realty Services Division will forward inquiries to each City Department, local Board or Commission, requesting their opinions as to the potential sale of the land.
- 4.14.2. Where, subject to the inquiry procedure, land is deemed to be surplus to City requirements, the Realty Services Division will suggest a market value for the

land and recommend through the City Treasurer to the appropriate Standing Committee that the Manager of Purchasing be authorized to call tenders for the sale of the land.

- 4.14.3. Notice of the tender call will be in accordance with the notice provisions of this policy.
 - 4.14.4. Offers to Purchase will be opened at the appointed time in accordance with the City's tendering policy.
 - 4.14.5. The terms of sale of such properties will be a deposit of 10% in the form of a certified cheque and/or cash to accompany the offer and cash on closing.
 - 4.14.6. The offers will be referred to the Realty Services Division for review and recommendation through the City Treasurer to the appropriate Standing Committee.
 - 4.14.7. If the successful tenderer is introduced to the land by a realtor, a commission may be payable if appropriate as follows:
 - a) Transactions up to \$100,000 - 5%
 - b) Transactions up to \$200,000 - 5% first \$100,000
3% between \$100,000 and \$200,000
 - c) Transactions over \$200,000- 5% first \$100,000
3% between \$100,000 and \$200,000
2% all amounts above \$200,000, or
 - d) As otherwise approved by Municipal Council.
 - 4.14.8. The payment of commission as provided for in paragraph 8 be payable only in the event that the realtor has:
 - a) Completed and deposited with the Manager of Realty Services, the Realtor Registration Form approved by the City not prior to the calling of each tender and not later than the closing of each tender;
 - b) Obtained the signature of the proposed tenderer on the Realtor Registration Form approved by the City as an acknowledgement of the registration and on the understanding that the payment of the real estate commission may lower the net amount payable to the City which may result in the tender not being accepted;
- 4.15. Attachment "F"

Disposal of Land – Direct Negotiation Procedure

- 4.15.1. The Realty Services Division will send the appropriate inquiries to each relevant City Department, local Board or Commission, regarding their opinions as to the potential sale of the land.
- 4.15.2. When it has been established through the inquiry procedure that a land is surplus to City requirements and when, in the opinion of the Manager of Realty Services, considering the current market value of the land as well as the value of the said lands to the abutting land owners or other prospective purchasers, it is advisable to dispose of the land through direct negotiations, the Realty Services Division will conduct direct negotiations with the abutting owner(s) or other prospective purchasers and report the results and recommendations to the appropriate Standing Committee through the City Treasurer.

4.16. Attachment "G"

Disposal of Land – Public Auction Procedure

- 4.16.1. Where, in the opinion of the Manager of Realty Services, it is advisable to dispose of real property through a public auction, the following procedures shall apply.

- 4.16.2. The Manager of Realty Services shall be authorized to retain a licenced real estate auctioneer to conduct the auction.
- 4.16.3. All costs of advertising being borne by the City on the understanding that the method and format of advertising will be agreed to by the auctioneer and approved by the Manager of Realty Services, prior to publication.
- 4.16.4. The City shall maintain the right to establish a reserve bid based on the results of an internal appraisal on the subject land by City staff, or an external appraisal carried out by an independent appraiser assigned by the City, and on the understanding that the reserve bid will remain confidential until the conclusion of the auction.
- 4.16.5. The conditions of sale being established, in each case, by the City, in conjunction with the Manager of Realty Services and the City Treasurer.
- 4.16.6. The Manager of Realty Services shall report the results of the auction to the appropriate Standing Committee.

APPENDIX B74

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-188-440
being "Real Property Acquisition 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-188-440 being "Real Property Acquisition Policy" for reformatting into the new Council Policy template, review with the gender equity lens, and removal of outdated references;

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

1. By-law No. CPOL.-188-440 being "Real Property Acquisition Policy" is hereby amended by deleting Appendix 'C(107)' to By-law No. CPOL.-188-440 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: Real Property Acquisition Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-188-440)

Last Review Date: June 25, 2018

Service Area Lead: Manager, Realty Services

1. Policy Statement

- 1.1. The City of London acquires real property rights, as required, for municipal purposes consistent with City mandated programs, projects, policies and strategic plans. The general direction for this Policy is set out in Policy 19.11: Land Acquisition, City of London Official Plan (2006). The City of London will acquire real property rights in a transparent, fair and competitive process to ensure the best interest of the City are met.

Purpose

- 1.2. The purpose of this Policy is to establish and maintain a consistent and equitable framework for the acquisition of real property interests that support Council approved projects, programs, policies and strategic plans.

Governing Principles

- 1.3. The Policy is based on the City of London governing principles:

- Good Government
- Respect and Integrity
- Community Engagement
- Fiscal Responsibility

2. Definitions

- 2.1. **Appraisal** – an appraisal is a formal, written, impartial estimate or opinion of value of an adequately described property, as of a specific date, and supported by the presentation and analysis of relevant data.
- 2.2. **Asset Rationalization** – a process to support decision-making related to the acquisition, remediation or disposal of real property, in a cost effective manner, while assuring that essential program and service delivery objectives are not compromised.
- 2.3. **Capital Projects** – have funding or budgets in place and are included in the City’s Capital Budget.
- 2.4. **City Mandated Programs** – support City of London initiatives, as reflected in the Official Plan or Capital Program.
- 2.5. **Client Department** – a City department that is a client of Realty Services and requires a real property for an approved program or project.
- 2.6. **Conflict of Interest** – a situation in which the personal interests of officers, Council Members and key staff members come into conflict, or appear to come into conflict, with the interests of the City.
- 2.7. **Council Approval Report** – a report to Council recommending approval of an acquisition by the City of London.
- 2.8. **Delegated Authority** – authority to approve pursuant to the Delegation of Authority By-law No. A-1-01007, as amended.
- 2.9. **Delegated Authority Approval Report** – a report to the City Manager, Managing Director - Corporate Asset Management, Manager of Realty Services, and/or, recommending the approval of an acquisition of real property in accordance with the provisions of the Delegation of Authority By-law No. A-1-01007, as amended from time to time.

- 2.10. **Due Diligence** – any activities required prior or during the acquisition of real property that will effectively assist in the decision making process of the acquisition and will provide a thorough understanding of the potential asset.
- 2.11. **Easement** – a partial interest in real property that is registered on title. An easement reflects the acquisition of property rights either on the surface, above or below ground and can be permanent or temporary and identifies a specific use.
- 2.12. **Expropriation** – acquiring real property without the consent of the owner, by an expropriating authority in the exercise of its statutory powers.
- 2.13. **Highest and Best Use** – that use, which, at the time of the appraisal, is most likely to produce the greatest net return, in money or amenities, over a given period of time.
- 2.14. **Lease** – a legal and binding agreement between two or more parties that specifies a specific property interest, for a specific term, for the right of a specific purpose of use, for a stated consideration and executed by the parties to the agreement.
- 2.15. **Market Rent** – what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect to pay for the tenancy, in comparison with rent levels for similar properties in similar areas, if offered in the competitive market.
- 2.16. **Market Value** – the most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.
- 2.17. **Public–Private Partnerships (P3)** – legal agreements between government and private sector entities, for the purpose of providing public infrastructure, community facilities and related municipal services.
- 2.18. **Real Estate Professional** – an individual or firm qualified to provide, in accordance with the City’s current standing offer(s), appraisal and/or real estate consulting services.
- 2.19. **Real Property** – real property includes land, buildings, anything that is erected or growing on or affixed to the surface of the land, minerals and anything subsurface, and all rights issuing out of, annexed to, and exercisable without or about land such as leases, licenses, mortgages, air rights, easements and rights of access.
- 2.20. **Request for Proposal (RFP)** – a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at a desired result.
- 2.21. **Real Property Rights** – any right, interest or benefit in land, but is not limited to, fee simple acquisitions, leases, licenses, options, permits, air rights, density transfers, permanent easements, rights-of-way, linear corridors, and other limited interests such as joint-use agreements, temporary working easements, access easements, permissions to enter and construct, and any other legal binding agreement related to the acquisition of property rights for the City of London.
- 2.22. **Service Area Needs Assessment** – a client Service Area’s report documenting the need for and purpose of acquiring real property.

3. **Applicability**

This Policy applies where real property rights are acquired by the City of London and includes any right, interest or benefit in land including, but not limited to fee simple acquisitions, leases, licenses, options, air rights, density transfers, permanent easements, rights-of-way, linear corridors, and other limited interests such as joint-use agreements, temporary working easements, access easements, permissions to enter and construct, and any other legal binding agreement related to the acquisition of real property rights. This Policy applies to all City of London employees, and any agents acting on behalf of the City and consultants authorized to acquire real property on behalf of the City.

Real property such as road dedications and easements that are acquired pursuant to the provisions of the Planning Act and any regulations there under will continue to be dealt with as

part of that process. Real property acquired through the expropriation process will continue to be dealt with as part of that process and in accordance with the Expropriations Act.

In addition, the following municipal and provincial legislation relate to the acquisition of interests of real property:

- *Municipal Act, 2001*, s. 6, s.8 and s.11
- *City of London Act, 1999*, s.12.3 (1) and s.12.5 (1)
- *Housing Development Act, 1990*, c. H.18, s. 17
- *Ontario Heritage Act, 2005*, s. 36 (1),36 (2) and s. 45
- By-Law No. A-1-11012, February 28, 2011, City of London
- By-Law No. CP-9, January 1, 2011, City of London
- *Municipal Conflict of Interest Act*
- City of London Official Plan, 2006

4. The Policy

4.1. Policy Requirements

The City of London, Realty Services, shall undertake the acquisition of real property interests in conformity with this Policy, unless otherwise directed by the City Council (Council).

4.2. Service Area Needs Assessment

Prior to initiating an acquisition of any real property rights as defined in Section 2., the client department will prepare on its behalf, or on behalf of a partner agency, a Service Area acquisition needs assessment. The needs assessment shall:

- a) provide justification and rationale for the proposed acquisition;
- b) state the municipal need or issue the acquisition will satisfy;
- c) evaluate the total cost of ownership including the impact of on-going operating and estimated capital expenditures over the life cycle of the asset;
- d) discuss the risks and benefits of the acquisition;
- e) identify, if any, options to asset acquisition;
- f) evaluate, if required, the lease term and proposed conditions compared to the market;
- g) prepare a Net Present Value analysis (NPV) that considers the financial costs and benefits of these options; and
- h) identify, if any, unique factors that are applicable to the acquisition, including applicable policies, plans or strategies of the City.

All assessments shall be vetted through the Realty Services and Finance in collaboration with the client Service Area to determine whether the City's existing real property inventory, or any capital works initiatives, may fulfill the client's requirements and determine the impact, if any, on the remainder of the City's real estate portfolio. In the case of leased property, this process shall apply to all potential leased premises and shall be evaluated by Realty Services.

4.2.1. Service Areas Needs Assessment Exemptions

For real property rights required for infrastructure, environmental acquisition, emergency scenarios and other municipal purposes at the discretion of Realty Services, a Service Area needs assessment shall not be required prior to completing the transaction.

4.3. Council Approval

City Council approval of a project shall include authority for the appropriate person(s) or body to initiate and undertake legal surveys, appraisals, environmental assessments,

heritage, archaeology, negotiations, expropriations, legal and other such related activities or reports, as may be required. A budget item must be approved for the program or project, including the costs of acquiring a real property and operational budget impacts, before action is taken to acquire property.

4.4. Funding

A source of funding for the acquisition of real property, life cycle costs, including ongoing annualized operating costs of the asset, must be identified through a Council approved budget item, specific to the program, project or policy defining the need, or allocated from an approved Service Area budget, with approval of the City Treasurer.

4.5. Methods Of Acquisition

Realty Services shall make a determination of the most appropriate method of acquisition, taking into account the needs of the City mandated programs, projects, policies and strategic plans and the best interests of the City and the public interest to achieve these objectives in a timely, fiscally responsible manner, adhering to existing policies and procedures, legislation and applicable Council direction, as amended, from time to time.

4.5.1. Negotiation

Negotiation is the preferred method of obtaining all types of real property rights and interests through a fair and equitable agreement mutually acceptable to all parties. Compensation may be provided as though acquisition was pursuant to the *Expropriations Act*. Negotiations may be conducted with a specific property owner as a result of a direct interest in a particular property or in an emergency situation. Negotiations may originate from a request for proposal with multiple proponents initially, until one is selected for completion of a transaction. Realty staff may negotiate directly with other levels of government, utility companies or other agencies, for direct acquisitions.

4.5.2. Unsolicited Proposals

- a) Unsolicited proposals relating to real property matters, including either requesting the City to acquire a specific property or enter into a lease agreement, shall be:
 - i) subject to the principles of the *Procurement of Goods and Services Policy*;
 - ii) in compliance with Section 4.5.14. of this Policy with respect to Emergency Acquisitions;
 - iii) in compliance with the Delegation By-laws for approval and execution for Sole Source and Single Source; and
 - iv) in all circumstances, immediately referred to Realty Services for review.
- b) In addition to a Service Area needs assessment as identified in Section 4.2. of this Policy, all unsolicited proposals under consideration and review by Realty Services must aim to:
 - i) stimulate or support the economic development and growth for the City;
 - ii) illustrate the benefit of acting upon a limited or single opportunity; and
 - iii) identify budget resources for the acquisition including ongoing annualized operating costs of the asset.

Upon review by Realty Services, a report shall be forwarded to Council.

4.5.3. Request for Proposal (RFP)

The City of London may initiate the acquisition of a fee simple or lease interest in real property through a request for proposal process. The RFP process shall comply with the *Procurement of Goods and Services Policy*. The City shall not be

obligated to enter into negotiations and complete a transaction under this process.

4.5.4. Expropriation

Where project requirements must be met in a timely manner, or where negotiation is unsuccessful, expropriation may be considered.

The City of London has the authority to expropriate land in accordance with the provisions of the *Expropriations Act*. Expropriation will be used as a last resort for acquisition purposes. Where necessary, Service Area departments should allow for a minimum of 18 months to 24 months lead time in their project planning, in anticipation that real property acquisition by expropriation may be required.

4.5.5. Charitable Donations

The City may acquire real property through gifts or donations, subject to Council approval, or that of its delegated authority. Before accepting a gift of real property, an analysis to determine the conditions of the gift, existing restrictions or encumbrances and assumption of liabilities or any tax implications, shall be carried out. A charitable donation receipt may be issued in the amount of the appraised market value of the donated real property. An independent appraisal shall determine the market value of any donated real property. A satisfactory Phase I Environmental Site Assessment will also be required.

4.5.6. Development Approval Process

This Policy does not apply to acquisitions of real property rights such as parkland dedications, road widening or easements obtained through pursuant to approvals under the *Planning Act* including conditions of final approval for subdivisions, site plans or consents.

4.5.7. Tax Sales – Vesting in Municipality

The municipality may acquire real property, pursuant to Part XI of the *Municipal Act*, (Sale of Land for Tax Arrears) by registering a Notice of Vesting. Procedures on the Treatment of Properties That Do Not Sell at Municipal Tax Sales are outlined in Section 4.9.

4.5.8. Land Exchanges

When an acquisition is contemplated in support of the natural heritage system, as provided for in the London Official Plan or the City's parks and open space system or other municipal purposes, and it is determined that an exchange of City-owned surplus real property is in the best interests of the City, negotiation shall be initiated based on the market value of the respective real properties, pursuant to the *Sale and Other Disposition of Land Policy* as set out in Schedule "A" of By-law No. 6151-17. Land Exchanges may be considered for other acquisitions of real property in accordance with a departmental needs assessment.

4.5.9. Public Private Partnerships (P3)

The City of London may acquire or dispose of an interest in real property as part of a Public-Private Partnership (P3) to provide infrastructure, municipal capital facilities and related services that would benefit the municipality, the private sector and City residents.

4.5.10. Other Agencies

The City of London may acquire interests in real property as the result of a transfer of jurisdiction from one level of government to another, such as transfer of highways.

4.5.11. Other Levels of Government and Institutions

The City of London may take advantage of its preferred position as a government agency to acquire interests in real property, prior to property being available on

the open market, from other levels of government, school boards and conservation authorities.

4.5.12. Land Assembly

The City of London may acquire property with the intent of a land assembly to satisfy a City mandate, policy, project or strategic plan that supports long term economic growth and be in the public interest.

4.5.13. Acquisition of Real Property by Lease/License

The City of London may, for a specified time period, acquire real property in the form of a lease or license agreement. Leases and licenses may be short or long term, and on terms and conditions satisfactory to Realty Services and the client Service Area. Lease hold interests may be acquired for a nominal sum from other levels of government or at market value. Leases can be entered into under the following situations:

- a) In the form of a long term land lease in conjunction with a P3;
- b) A commercial lease for accommodation for a specific client Service Area to fulfill a municipal requirement;
- c) An option to secure a future fee simple acquisition;
- d) Emergency situations;
- e) Where no fee simple acquisition is available and a current municipal project is approved;
- f) As an interim use; or
- g) As deemed appropriate by Realty Services and the client Service Area as an alternative to fee simple acquisition that would meet the municipal and City residents requirements without a capital expenditure.

The lease or license agreement shall be in form and content satisfactory to the City Solicitor and Realty Services. Leasehold interests must be obtained through a transparent, fair and competitive process and should include consideration of a RFP procedure.

All lease or license agreements must be in compliance with all aspects of this Policy.

4.5.14. Emergency Acquisitions

The City of London Realty Services, is authorized, to acquire any interest in real property in an emergency situation for the purposes of this Policy, an emergency situation shall be any unforeseen circumstances identified in Section 14.2 of the *Procurement of Goods and Services Policy*. In these situations, Realty Services shall provide an information report to Council, including source of financing, as soon as possible after the acquisition.

4.6. Special Acquisitions

4.6.1. Heritage Properties

Chapter 13 of the City of London Official Plan provides the policy rationale for the acquisition of properties of heritage value and interest. When acquiring real property that may have a heritage designation or historical value, a comprehensive analysis of that property shall be conducted involving Realty Services and appropriate City Service Areas. The analysis will include:

- Identification of the heritage designation or historical value of the real property (*This should include both buildings and cultural heritage landscapes and "natural heritage"*);
- Confirmation of the City of London program(s) to be implemented at this heritage property;

- Identification of the heritage value of the real property after consultation with the London Advisory Committee on Heritage;
- Identification of the desired long-term use or protection of the real property;
- Assessment of the impact of the operational costs of the real property on the City; and
- Development of an asset management plan, which forecasts the capital renewal and re-investment requirements, to preserve the heritage property.

Prior to the acquisition of a heritage property, Realty Services requires confirmation that the client Service Area and/or City Council have provided the funding and approval for the acquisition.

4.6.2. Parkland Acquisition

The City of London may acquire real property to ensure the sustainability of its natural heritage system and the connectivity of its parks and open space system, as outlined under Policies 8A2.5 and 16.3 of the Official Plan. The acquisition of parkland to achieve the objectives of this section may occur through purchase, donation, bequest, expropriation, or through dedication as provided for under the *Planning Act*.

A combination of the various methods of acquisition may be required by the City in order to deliver on a specific mandate, policy or plan or to capitalize on an opportunity for the benefit of the City that can be illustrated in the Service Area needs assessment.

The Parkland Conveyance & Levy By-law, CP-9 effective January 1, 2011 sets out conveyance, levy, and calculation procedures along with prescribed valuation as a condition of development or redevelopment for residential purposes of any land within the city.

4.7. Due Diligence Activities

4.7.1. Appraisal – Fee Simple or Partial Interest

An appraisal is a formal, written, impartial estimate or opinion of value of an adequately described property, as of a specific date, and supported by the presentation and analysis of relevant data.

All real property acquisitions shall be supported with a current market value appraisal. An appraisal shall be no more than twelve months old or some shorter time-frame at the discretion of the Manager of Realty Services. An appraisal will be completed and the appraisal report executed by an independent real estate professional who is accredited with the Appraisal Institute of Canada or by a qualified City staff appraiser. Where the estimated market value is \$750,000 or greater, a second appraisal will be required, one of which will be undertaken by an independent real estate professional.

Appraisal reports will be based on the “Highest and Best Use” of the property in accordance with current standards of practice within the real estate industry and within the guidelines of the Appraisal Institute of Canada, which may be amended, from time to time.

4.7.2. Appraisal – Leasehold Interests

Prior to entering into a lease agreement, a market rent study shall be completed by an independent real estate professional or a qualified City staff appraiser at the discretion of the Manager of Realty Services. For the purposes of this Policy market rent is defined as what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect to pay for the tenancy, in comparison with rent levels for similar properties in similar areas, if offered in the competitive market.

4.7.3. Acquisition at Market Value

Real property rights shall be acquired on the basis of market value, and where applicable, entitlements, as defined by the Expropriations Act, unless other considerations are included in the transaction and approved by City Council.

Where there is a variance between the appraised value and the acquisition price, that variance shall be explained in the approval report.

4.7.4. Environmental Due Diligence

The City of London shall complete a pre-screening on all real property to be acquired to identify potential contamination issues associated with real property e.g., Historical Land Use Inventory (HLUI). When an acquisition involves the entire fee simple interest (total buyout), or where it is deemed necessary by the client Service Area, for the acquisition of a lesser interest, a Phase I Environmental Site Assessment (ESA) shall be completed.

All such ESAs shall be completed in accordance with the Canadian Standards Association (CSA) and site remediation criteria, as set out by provincial regulations. Whenever possible or appropriate, acquisition agreements may provide for the indemnification of the City of London by the vendor for environmental conditions.

4.7.5. Compliance with Section 106 of the *Municipal Act*

Section 106 of the *Municipal Act, 2001* states that the City “shall not assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose.” The municipality shall not grant assistance by:

- a) giving or lending any property of the municipality, including money;
- b) guaranteeing borrowing;
- c) leasing or selling property of the municipality at below fair market value;
or
- d) giving a total or partial exemption from any levy, charge or fee.

The acquisition of any real property rights shall comply with Section 106 of the *Municipal Act, 2011*.

4.8. Roles And Responsibilities

4.8.1. City Council

Unless otherwise provided for by By-law, City Council approval is required for the acquisition of real property right in accordance with the provisions of this Policy and any and all applicable By-laws and Legislation. In accordance with the approval authority, executing authority is then delegated to the appropriate City officials.

Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause any person to have an unfair advantage or disadvantage in obtaining a contract for the acquisition of real property from the City. This also includes a contract with any other municipality, local board or public body involved in the purchase of real property rights either jointly or in co-operation with the City. Council Members shall operate within the conflict of interest guidelines as set out in this Policy and under the *Municipal Conflict of Interest Act*.

Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Manager of Realty Services, or the City Treasurer.

4.8.2. Realty Services

Realty Services is responsible for:

- a) Servicing the real estate needs of the client Service Area and agencies, boards and commissions identified in this Policy which can include real estate acquisitions and consulting services or advice on any real estate matters;
- b) Negotiating and representing the City on behalf of all Service Areas with perspective buyers, sellers, landlords, tenants and any other business partners with respect to any real property right proposed transaction whether it be a fee simple, partial acquisition, disposition or lease as defined in Section 2.;
- c) Coordinating with the client Service Area and Finance to review property inventory, prepare a Service Area needs assessment and conduct all real estate activity related to an acquisition;
- d) Reporting to Committee and Council on real estate transactions, subject to the provisions of this Policy; and
- e) Ensuring completion of real estate transactions and monitoring executed lease agreements to ensure all terms and conditions are adhered to.

4.8.3. City Solicitor

The City Solicitor or his designate shall act as legal counsel to Service Areas and advise Council on real property transactions. The City Solicitor has authority to undertake all legal actions required to complete a real property transaction, including expropriation proceedings.

4.8.4. Client Service Area

The Client Service Area is responsible for:

- a) Requesting the services of the Realty Services when becoming aware of a real property requirement for acquisition of a fee simple, leasehold or partial interest as further defined in Section 2. or consulting purposes;
- b) Reviewing the existing real property inventory and other acquisition initiatives, in consultation through its Realty Services and Finance, to determine if real property needs can be met through current inventory or initiatives, prior to the initiation of an acquisition;
- c) Ensuring that the asset rationalization effort and confirmation that the acquisition requirement satisfies its City-mandated program, that includes participation in the preparation of the Service Area needs assessment;
- d) Providing confirmation to Realty Services that Capital and Operating Budgets to support an acquisition of real property is available prior to any site search or negotiations are undertaken by Realty Services; and
- e) Referring all third party inquires on real estate acquisition to Realty Service.

4.8.5. Finance

Finance is responsible for:

- a) Ensuring any and all payments required under a real estate transaction, including leases/licenses are paid in accordance with the terms of the agreement to ensure no potential penalties to the City;
- b) Providing financial analysis and comment in a departmental needs assessment for property acquisitions in collaboration with the client Service Areas and Realty Services;

- c) Ensuring, in collaboration with the client Service Areas, that no existing corporate asset will meet the current property initiative;
- d) Identifying sources of funding for any proposed initiative;
- e) Providing leadership for RFP process as required by this Policy; and
- f) Engaging the Purchasing Office to support negotiations, as required.

4.8.6. Conflict of Interest

No elected official, appointed officer or employee of the City, agency, board or commission, shall have any interest either directly or indirectly of the real property to be acquired or considered for acquisition and must comply with the *Municipal Conflict of Interest Act*. Once known, any interest must be disclosed to Realty Services, Corporate Asset Management. No party having a Conflict of Interest, even once disclosed, shall have any authority to negotiate the transaction. Direct or indirect interest shall include, but not limited to, being an owner, or partial owner, of the property or a party to financing the asset.

4.8.7. Monitoring/Contraventions

Realty Services will administer the application of this Policy to ensure that all policy requirements are met.

4.9. Schedule A

Procedures on the Treatment of Properties That Do Not Sell at Municipal Tax Sales

- 4.9.1. After a failed tax sale, circulate the property to internal departments and external agencies in accordance with City Policy for the sale of City owned properties in order to determine if they have any interest in the property should the City vest the property; (If there is internal or agency interest in a property this interest will be presented to the appropriate Standing Committee of Council and Council for a decision as to whether or not to take ownership for the department or agency after conducting a Phase 1 and Phase 2 ESA as considered appropriate).
- 4.9.2. Conduct a Phase 1 Environmental Site Assessment (ESA).
- 4.9.3. Conduct a Phase 2 Environmental Site Assessment where appropriate as indicated by the Phase 1 ESA.
- 4.9.4. Report to the Finance and Administration Committee and if there is no internal department or external agency interest in the property, market the property by issuing a Request for Proposal which shall include an evaluation criteria with weighted scoring and a draft Agreement of Purchase and Sale.
- 4.9.5. Evaluate the submissions received from the Request for Proposal and prepare a recommendation report for the Standing Committee for the Proponent with the highest technical combined score for the property acquisition.
- 4.9.6. Vest property and convey to purchaser after approval of sale agreement by the Standing Committee and Council.
- 4.9.7. Apply the proceeds of the sale against the tax arrears, deem any remaining tax arrears uncollectible and write off the remaining tax arrears upon registration of the notice of vesting of the property by the City.

Notes

- 4.9.8. Clauses in a form satisfactory to the City Solicitor will be included in the Agreement of Purchase and Sale to clarify that the property is being sold by the City on an as is, where is basis and that the purchaser acknowledges that the City has regulatory liability limitation from MOE orders under the EPA for the time that it owns the property (for up to five (5) years).
- 4.9.9. Where encumbrances of the Federal or Provincial Governments or their agencies exist City staff will attempt to negotiate a resolution of the interest as part of or

prior to Step 4.9.4.

4.9.10. Where it is determined that a property has no environmental risks or liabilities or where the estimated market value will exceed the estimated costs of clean up, City staff may vest the property at any time and follow standard procedures for the designation and sale of surplus City land.

4.9.11. Where it is determined that environmental risks or liabilities are so severe with respect to a property that the City should not vest a property even for the purposes of immediate transfer then a recommendation to take no action with respect to the property will be provided to Council by staff.

4.10. References

City of London Council Policy Manual
Sale and Other Disposition of Land Policy

Legislative and Administrative Authorities

City of London Delegation of Authority By-law A-1-101007
City of London Execution of Certain Documents By-law A-1-11012
City of London Capital Budget
City of London Official Plan, 2006
Expropriations Act, 1990
Environmental Assessment Act, 1976
Heritage Act, 1975
Housing Development Act, 1990
Municipal Act, 2001
Municipal Tax Sales Act, 1984
Municipal Board Act, 1975
Planning Act, 1990
By-Law CP-9 Parkland Conveyance & Levy By-Law

Enquiries

For more information on this Policy, contact:
Manager, Realty Services
The Corporation of the City of London
300 Dufferin Avenue, London ON, N6B 1Z2
Tel: 519-661-2500, ext. 5445

APPENDIX B75

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-219-471
being "Tax Collection 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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-219-471 being "Tax Collection Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-219-471 being "Tax Collection Policy" is hereby amended by deleting Appendix 'C(28)' to By-law No. CPOL.-219-471 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Tax Collection Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-219-471)

Last Review Date: June 25, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on tax collection procedures.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all properties located in the City of London.

4. The Policy

City staff are authorized to utilize all collection procedures as permitted by the *Municipal Act, 2001*, as amended.

APPENDIX B76

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-220-472 being "Treatment of Properties That Do Not Sell At Municipal Tax Sales".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-220-472 being "Treatment of Properties That Do Not Sell At Municipal Tax Sales" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-220-472 being "Treatment of Properties That Do Not Sell At Municipal Tax Sales" is hereby amended by deleting Appendix 'C(29)' to By-law No. CPOL.-220-472 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Treatment of Properties That Do Not Sell At Municipal Tax Sales

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-220-472)

Last Review Date: June 25, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on properties that do not sell at municipal tax sales.

2. Definitions

The terms used in this policy have the meaning and definition as provided by Part XI of the *Municipal Act, 2001*.

3. Applicability

This policy applies to all properties that do not sell at municipal tax sales.

4. The Policy

- 4.1. After a failed tax sale, circulate the property to internal departments and external agencies in accordance with City policy for the sale of City-owned properties in order to determine if they have any interest in the property, should the City vest the property; (if there is internal or agency interest in a property, this interest will be presented to Council for a decision as to whether or not to take ownership for the department or agency after conducting a Phase 1 and Phase 2 ESA as considered appropriate).
- 4.2. Conduct a Phase 1 Environmental Site Assessment (ESA).
- 4.3. Conduct a Phase 2 Environmental Site Assessment where appropriate as indicated by the Phase 1 ESA and conduct any further environmental testing and review as may be indicated by phase 2 information.
- 4.4. Report to the appropriate Committee of Council and if there is no internal department or external agency interest in the property, market the property by either issuing a Request for Proposals or a Request for Tenders as deemed appropriate in the circumstance. A Request for Proposals shall include an evaluation criteria with weighted scoring. A draft Agreement of Purchase and Sale shall be included with either process.
- 4.5. In the case of a Request for Proposals, evaluate the submissions received and prepare a recommendation report for the appropriate Council Committee for the Proponent with the highest technical combined score for the property acquisition. In the case of a Request for Tenders, the award of the tender will be recommended to the highest bidder and shall also have a recommendation report prepared for the appropriate Council Committee.
- 4.6. Vest property and convey to the purchaser after approval of sale agreement by the Municipal Council.
- 4.7. Apply the proceeds of the sale against the tax arrears; deem any remaining tax arrears uncollectible and write off the remaining tax arrears upon registration of the notice of vesting of the property by the City.
- 4.8. Notes
 - a) Clauses in a form satisfactory to the City Solicitor will be included in the Agreement of Purchase and Sale to clarify that the property is being sold by the City on an "as is, where is" basis and that the purchaser acknowledges that the City has regulatory liability limitation from MOE orders under the EPA for the time that it owns the property (for up to five (5) years).
 - b) Where encumbrances of the Federal or Provincial Governments or their agencies exist, City staff will attempt to negotiate a resolution of the interest as part of or prior to the step identified in section 4.4.

- c) Where it is determined that a property has no environmental risks or liabilities or where the estimated market value will exceed the estimated costs of clean up, City staff may vest the property at any time and follow standard procedures for the designation and sale of surplus City land.
- d) Where it is determined that environmental risks or liabilities are so severe with respect to a property that the City should not vest a property even for the purposes of immediate transfer, then a recommendation to take no action with respect to the property will be provided to Council by staff.

APPENDIX B77

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-221-473 being "Minutes of Settlement for Assessment Appeals".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-221-473 being "Minutes of Settlement for Assessment Appeals" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-221-473 being "Minutes of Settlement for Assessment Appeals" is hereby amended by deleting Appendix 'C(30)' to By-law No. CPOL.-221-473 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Minutes of Settlement for Assessment Appeals

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-221-473)

Last Review Date: June 25, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the minutes of settlement for assessment appeals.

2. Definitions

The terms used in this policy have the meaning and definition as provided by the *Assessment Act*, R.S.O. 1990, c. A.31.

3. Applicability

This policy applies to assessment appeals filed under the *Assessment Act* or other legislation where the property owner/appellant and the Municipal Property Assessment Corporation have agreed to a settlement of the appeal.

4. The Policy

In accordance with subsection 286(1) of the *Municipal Act, 2001*, the City Treasurer or their delegate is authorized to approve and sign minutes of settlement for assessment appeals filed under the *Assessment Act* or other legislation where the property owner/appellant and the Municipal Property Assessment Corporation have agreed to a settlement of the appeal.

APPENDIX B78

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-227-479
being "Travel & Business Expenses".

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 Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-227-479 being "Travel & Business Expenses" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-227-479 being "Travel & Business Expenses" is hereby amended by deleting Appendix 'C(36)' to By-law No. CPOL.-227-479 in its entirety and by replacing it with the attached new Schedule "A".

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Travel & Business Expenses

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-227-479)

Last Review Date: June 25, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

This policy addresses the methods and procedures by which the groups outlined below will be governed when attending to business related to their respective governing bodies, including but not limited to conferences, conventions, seminars, as well as business and business entertainment expenses either within the City limits or beyond; and provides for the associated compensation entitlements.

2. Definitions

- 2.1. **Accommodation** - commercial lodging facilities such as hotels, motels, corporate residences or apartments.
- 2.2. **City** - shall be used in this policy to mean The Corporation of the City of London
- 2.3. **City Business** - attending an event as a representative of the City, to derive a benefit for the City, or to advance the interests of the City.
- 2.4. **Expense Review Officer (ERO)** - shall mean the person responsible for administering this policy, having budgetary control over the general ledger account to be expensed, and having authority over the Officials/Staff incurring the expenditure; as defined in Section II below.
- 2.5. **Expense Reports** - shall include both manual forms (e.g. Travel Advance / Expense Form) and corporate purchasing card statements, as applicable.
- 2.6. **Governing Body** - shall mean the City Council or a local board or commission.
- 2.7. **Incidental/Personal Expenses** - includes, but is not limited to: gratuities/tips, non-alcoholic beverages, personal phone calls, laundry and dry cleaning.
- 2.8. **Local Mileage** - defined as travel within the city limits of London, Ontario.
- 2.9. **Officials** - shall mean a Member of the City Council or an elected or appointed member of the governing body of a local board or commission or an advisory committee of the City Council.
- 2.10. **Per Diem** - an allowance to cover out-of-pocket personal living expenses exclusive of accommodation or transportation. This allowance is intended to include meals, taxes, gratuities and all other qualifying incidental/personal expenses.
- 2.11. **Receipt** - original document showing the name of the vendor, as well as the date, amount and description of the expenditure paid by the Officials/Staff.
- 2.12. **Staff** - shall mean an employee of the City of London or a staff member of a local board or commission.
- 2.13. **Travel** - is defined as going beyond the city limits of London, Ontario.

3. Applicability

This policy applies to:

- Members of City Council
- Employees of the City of London
- Elected/Appointed Officials

Other members and administrators shall be governed by whatever policies are set from time to time by their respective governing bodies, provided that the said policies do not exceed those contained within this policy.

It is understood that authority for the expenditure of funds for any and all expenses covered by this policy extends only to the extent of the financial limitations imposed by the annual (current) budgets of the respective governing bodies.

It is understood where an active contract and/or collective bargaining agreement is in place that addresses items contained within this policy that the terms of the contract/collective bargaining agreement will be followed.

Any question involving the meaning or application of this policy is to be submitted to the City Treasurer or designate for clarification.

Where this policy contradicts an existing policy or corporate practice, the issue will be forwarded to the City Treasurer or designate for a final binding decision. The issue and decision will be documented to be placed into further revisions of this policy.

4. The Policy

4.1. EXPENSE REVIEW OFFICER

The following are designated "Expense Review Officers" (ERO) for the jurisdictions referred to and shall be responsible for administering this policy within their particular areas of jurisdiction, addressing any justifiable exceptions; and for auditing and processing all expense reports in accordance with this policy, while maintaining the right to request additional explanations, documentation or justification of any or all of the expense reports:

Jurisdiction	ERO
Mayor	City Treasurer or designate
Members of City Council	City Clerk or designate
Appointed Members of Advisory Committees	City Clerk or designate
City Manager	Mayor
Senior administrative official of each of the local boards or commissions	The chair of the respective local board or commission
Managing Directors	City Manager or designate
City of London Employees	Managing Directors or designates

4.2. APPEAL COMMITTEE

The City Council and each local board or commission shall appoint an Appeal Committee for the purpose of dealing with disputes. The Appeal Committee shall be comprised of the senior administrative official, and the ERO of the governing body. Decisions of the Appeal Committee shall be final.

If the individual with a dispute is the senior administrative official; the City Treasurer will serve as part of the Appeal Committee.

4.3. RELEASE OF EXPENSE INFORMATION

All expense information is considered to be public information and shall be made available, upon request, by the ERO. Annually, prior to March 31, the City Treasurer or designate will submit to the City Council, a list of expenses incurred during the previous calendar year for the members of City Council, all City of London staff at level SME-02 or above, elected and appointed officials and members of the Senior Administration of the following local boards and commissions: London Transit Commission, London Convention Centre Corporation; London Public Library Board and the London Police Services Board.

4.4. RESPONSIBILITIES

Officials / Staff Role

The Officials/Staff are responsible for adhering to the provisions of this policy, in addition to the completion of the expense report and submitting it for approval. Supporting documentation, as outlined in this policy, must be attached to the expense report. To avoid duplicate payments and to facilitate appropriate reviews; copies of credit card/interact slips, and credit card statements are not acceptable as receipts; however, may be required to provide proof of purchase.

ERO Role

The ERO is responsible for reviewing and authorizing the expense report. Under no circumstances may an ERO authorize expenses incurred on their own behalf.

The ERO's signature indicates that:

- The expense is a legitimate business expense; and funds are available within the approved budget;
- The purchasing method does not violate the purchasing policy;
- Appropriate supporting documentation, as outlined in this policy, is attached; and,
- The expense has been charged to the correct cost centre and expense code.

The ERO is responsible for pre-approving individual travel and business expenses expected to be reimbursed at an amount greater than \$3,000 and to approve local mileage claims in excess of \$1,000 (City Council members are not entitled to claim local mileage).

Finance Role

Approved expense reports are to be forwarded to Financial Services / Accounts Payable for processing on a timely basis. Finance and/or Audit may conduct reviews at any time, without notice, to assess compliance with this policy. Failure to comply may result in corrective and/or disciplinary action up to and including dismissal.

4.5. GENERAL

- 4.5.1. Travel, business and local mileage expenditures are to be based on sound judgement and proper regard for economy.
- 4.5.2. Where travel and business expense payments are made using a corporate purchasing card; all provisions within this policy and the corporate purchasing card policy must be followed.
- 4.5.3. Travel, business and local mileage expenditures are subject to examination by City administration and/or the City's external auditors and must be completed with care, accuracy and supported by the appropriate forms, invoices and/or receipts.
- 4.5.4. Where an individual travel expense is expected to be reimbursed at an amount greater than \$3,000; a Travel Expense Authorization Form must be completed and approved by the ERO in advance of the date of travel. The Travel Expense Authorization Form must be attached to the expense report for submission to Finance.
- 4.5.5. When more than one traveller is attending the same event, all attendees must where practical/possible:
 - i) Coordinate travel arrangements
 - ii) Take advantage of group rates
 - iii) Individually submit a separate expense report for reimbursement
- 4.5.6. When personal and business travel is combined, only documented expenses directly related to the business portion are reimbursable. Travel and related expenses will not be reimbursed for spouse and/or other guests.
- 4.5.7. When attending a course, conference, or seminar an outline/itinerary must be provided.
- 4.5.8. Where travel is delayed or cancelled due to circumstances beyond the traveller's control, effort must be made to notify the ERO immediately; the individual should attempt to secure complimentary lodging and/or meals where available. Any additional expense resulting from the delay or cancellation may require justification and be subject to review.
- 4.5.9. Expense reports must be submitted within forty five days from return to work from travel or the date from which the business expense was incurred.
- 4.5.10. The City will not reimburse for any personal items lost.

4.5.11. Where a staff member's primary place of business is in a Municipality other than the City of London; for the purposes of this policy:

- i) Local travel/local mileage will be within the limits of the Municipality where their work is conducted (for example: if the staff member conducts business in Toronto then local travel and mileage will be within the city limits of Toronto)
- ii) Per diem - an overnight stay in association with a one-day meeting or business event out-of town is justified depending on the start and end times of the meeting and that the distance required to be travelled exceeds 150 kilometres from their primary place of business

All other items in this policy are applicable as outlined.

4.6. TRAVEL

4.6.1. AUTHORIZED TRAVEL

- a) Officials are entitled to receive reimbursement for expenses while attending the following:
 - i) Annual conferences of municipal associations of which the governing body is a member;
 - ii) Board or executive committee meetings, committee meetings, associated meetings with federal or provincial ministries, workshops and seminars, provided the official is a director, committee or task force member within the sponsoring organization;
 - iii) Annual conferences or board meetings of any organization on which an official sits as a director/committee member representing the governing body and where the governing body is entitled to voting delegate status because of its membership;
 - iv) Out-of-town business as a representative of the City or of a local board or commission, provided that prior approval has been received from the governing body; and,
 - v) One conference in addition to those mentioned in (i) and (iii) above in any given year, provided that the said conference has a direct relationship to municipal concerns or interests, and subject to the approval of the governing body and the availability of funds in the budget.
- b) Staff are entitled to receive reimbursement for expenses while attending the following:
 - i) Annual conferences of municipal associations of which the governing body is a member;
 - ii) Board or executive committee meetings, committee meetings, associated meetings with federal or provincial ministries, workshops and seminars, provided the staff member is a director, committee or task force member within the sponsoring organization;
 - iii) Annual conferences or board meetings of any organization on which a staff member sits as a director/committee member representing the governing body or is part of a professional association or membership;
 - iv) Out-of-town business as a representative of the City or of a local board or commission provided that prior approval has been obtained;

- v) Out-of-town business to meet with peers to discuss best practices; and,
- vi) Out-of-town training courses provided that such training is of benefit to the staff member's position or necessary to retain licensing/designations and that prior approval has been obtained.

4.6.2. TRAVEL ADVANCES

- a) Travel advance requests must be made to the appropriate ERO at least one week prior to departure for domestic travel and two weeks prior to international travel (where the advance is required to be in US funds).
- b) The amount advanced will be calculated by the ERO, based on the estimated expenses associated with each individual circumstance.
- c) No advance will be provided for amounts less than \$200.00.
- d) Travel Advances resulting in \$0.00 balances (advance = actual travel costs), or amounts owed back to the City, must be reconciled. For amounts owed back to the City, payment (reimbursement) must be made within forty five days from the date of return from travel. The cashier's receipt must be attached to the final expense report.
- e) Any Officials/Staff that has an outstanding travel claim that is not submitted to Finance within forty five days of the date of return from travel will not be allowed any further advances for travel until the outstanding advance has been settled.

4.6.3. REGISTRATION FEES

Registration fees for attendance at a convention, conference, seminar, workshop or annual meeting will be reimbursed in full by the governing body upon submission of an invoice from the appropriate organization and an official receipt indicating payment.

4.6.4. TRAVEL ALLOWANCES

a) Per Diem Allowance

- i) The per diem rate shall be as established by the governing body from time to time, provided that, in the case of a local board or commission, it shall not exceed that established by the City Council for elected and appointed officials.

The per diem rate will be paid in Canadian funds unless a there is a requirement for U.S. funds. An Officials/Staff who receives a per diem allowance may not claim additional personal expenses. To simplify reporting, receipts are not required for per diem expenses.

A corporate purchasing card should not be used to purchase expenses covered under the per diem allowance.

- ii) The per diem allowance is intended to cover the following normal daily expenses:

- | | |
|----------------------------------|-----------------------------|
| -meals and snacks | -gratuities |
| -cleaning expenses | -telephone calls (personal) |
| -miscellaneous personal expenses | -non-alcoholic beverages |

- iii) The per diem rate of \$70 will be applied to a twenty-four hour period, provided that at least one overnight stay is involved. At the discretion of the ERO, a partial per diem may be paid to cover costs associated with partial days away. (Proration will be based on actual departure/arrival times as outlined in section 4.6.4. (a)(vi) below).

- iv) Where meals have been provided, the per diem rate will be reduced by the amount reflected below:

Breakfast	\$10.00
Lunch	\$20.00
Dinner	\$30.00

- v) An overnight stay in association with a one-day meeting or business event out-of-town is justified (and therefore the per diem rate applied) depending on the scheduled start and end times of the meeting and that the distance required to be travelled exceeds 150 kilometres.
- vi) Where an overnight stay is not involved but the Officials/Staff is required to attend out-of-town meetings for the entire day, the per diem rate of \$60 will be applied. (Where meals are provided at the attended function, the per diem rate will be reduced by the amount reflected in section 4.6.4. (a) (iv) above).

Where a partial day per diem is applicable the following proration will be applied:

Breakfast	\$10.00 - If an employee is required to depart before 6:00 am
Lunch	\$20.00 - If an employee is required to depart before 12:00 noon
Dinner	\$30.00 - If an employee is unable to return home until after 6:00 pm

No other expenses will be reimbursed; receipts are not required for per diem expenses.

b) Transportation

- i) Officials and Staff may choose their own method of transportation on the understanding that the most direct route, the most economical and most practical method must be used. The loss of productive time must be minimized.

ii) Air

Economy class airfare is normally to be used, however, business class may be authorized by the ERO if:

- less expensive seats are not available, or
- the departure time is not acceptable, or
- the individual is travelling on a continuous flight in excess of five hours

The cost of an additional night(s) accommodation may be reimbursed if it is required in order to take advantage of a discount airfare, provided that the cost of the extra accommodation is not greater than the savings realized from the discounted airfare.

iii) Rail

With prior approval from their ERO, Officials and Staff may be reimbursed for business class rail transportation, provided that they actually travel business class, and provided that the trip extends over a normal meal period (breakfast, lunch or dinner). Otherwise, only economy rail transportation costs will be reimbursed. The per diem will be reduced by the amounts noted in section 4.6.4. (a) (iv).

iv) Private vehicles

Private vehicles may be used by Officials and Staff for out-of-town transportation when it is the most economical and practical method of travel. The mileage rate, approved by the governing body from time to time, will be reimbursed provided that, in the case of a local board or commission, the said rate shall not exceed the mileage rate established from time to time by the City Council for elected and appointed officials.

- Expenses relating to personal vehicles such as maintenance, repairs, insurance premiums (standard or extra), accident deductibles or tickets, etc. will not be reimbursed.
- 407 ETR charges are a reimbursable expense (receipt/proof of payment is required)
- Please refer to section 4.8. Appendix A regarding insurance requirements for use of personal vehicles on city business.

v) City vehicles

Use of a City vehicle where available is encouraged. Fuel will be reimbursed with supporting receipts.

vi) Rental vehicles

Rental vehicles may be used by Officials and Staff where it is demonstrated that this method of transportation is more economical and practical than the use of taxis, limousines, etc. The most economical size of vehicle must be used, depending on the requirements of the occasion and the number of passengers.

The rental contract must be registered under the name "Corporation of the City of London – Applicant Name."

Officials/Staff who rent vehicles in their own name become contractually responsible for meeting the terms of the contract, including any loss or damage of the vehicle. Please refer to the section 4.9. Appendix B (excerpt from the Risk Management Manual) for further details regarding insurance coverage.

vii) Taxis/Limos

Officials and Staff may be reimbursed for the actual costs of taxicabs, airport limousines, buses or equivalents for transportation between the individual's home or workplace and the designated transportation terminal as well as between the transportation terminal and the hotel or other destination point. Reimbursement will also be made for actual and reasonable costs incurred for such vehicles on approved City business whether within the City of London or at an approved location.

c) Local/Out of Town Mileage

i) Local Mileage

Local mileage expenses cover all individuals that this policy applies to with the exception of:

- 1) Members of Council who have local mileage expenses provided for in the Council Members' Expense Account Policy
- 2) Any Official or Staff (other than those in #1 above) who receive a monthly vehicle allowance

The mileage rate, approved by the governing body, will be reimbursed for local travel. Officials and Staff must complete the

Car Allowance Statement (Form #0086 on City Connect/Cit-eforms) and submit the form to Accounts Payable at the minimum of a quarterly basis. The Car Allowance Statements will be delivered to payroll weekly for reimbursement on the next available payroll direct deposit.

ii) Out of Town mileage

The mileage rate, approved by the governing body, will be reimbursed for out of town travel. Officials and Staff must complete the Accounts Payable Voucher – Travel Advance/Expense Report (Form #0627) and submit the form to Accounts Payable

- When more than one Officials/Staff is travelling in the same motor vehicle, only the owner of the said vehicle is entitled to reimbursement for mileage expenses as provided by this policy.

Officials/Staff, excluding Council Members, that are provided with a vehicle allowance are only entitled to an out of town mileage reimbursement when the travel exceeds 200 kilometres.

Council Members that are provided with a monthly transportation allowance, as provided for in the Council Members' Expense Account Policy, are entitled to an out of town mileage reimbursement for the full distance travelled when the distanced travelled exceeds 150 kilometres.

d) Accommodation

i) The name of "The City of London" or of the appropriate governing body must appear on all hotel (room) registrations and in each case available government or corporate rates should be requested. Individuals may be reimbursed for either single or double room base rates (including applicable taxes) depending on individual circumstances.

ii) With approval from the appropriate ERO, hospitality accommodation, such as suites, parlours, etc. may be obtained when necessary for entertainment or hosting purposes.

If an Officials/Staff chooses to stay overnight with friends or relatives while on business related to the governing body instead of at a hotel, accommodation expenses will not be reimbursed, however the per diem allowance will still apply as required.

iii) In the event of travel cancellation, the Officials/Staff may be held responsible and not be reimbursed for 'no show' charges resulting from failure to cancel a hotel reservation.

e) Telephone Calls

Officials and Staff will be reimbursed for all telephone calls (local or long distance) that are directly related to City business. Reimbursement for personal calls is provided under the per diem allowance.

f) Spousal Expenses

Officials and Staff shall be responsible for all additional expenses incurred as a result of a spouse or companion travelling with them, save and except the cost of accommodation as referred to in section 4.6.4. (d)(i) above.

- g) Parking Expenses
- i) Officials and Staff will be reimbursed for the cost of parking their motor vehicle at a transportation terminal while they are out-of-town on business, subject to the submission of appropriate receipts and provided that the cost of the parking does not exceed the cost of ground transportation from their home or place of business to the transportation terminal. Loss or damage to the vehicle, while parked, shall not be the responsibility of the governing body.
 - ii) Officials and Staff will be reimbursed for the cost of parking their motor vehicle overnight while they are out-of-town on business, subject to the submission of appropriate receipts. Loss or damage to the vehicle, while parked, shall not be the responsibility of the governing body.

4.6.5. TRAVEL EXPENSE REPORTS

- a) Officials and Staff are responsible for filing their respective travel expense reports with their respective ERO within forty five days of their return to office from an out-of-town event or from the date of the business expense incurred as covered by this policy.
- b) Original individual detailed receipts must be filed with the expense report for all travel expenses not covered by the per diem allowance and for all hotel (room) accommodations. To avoid duplicate payments, copies, credit card slips, statements and/or Interac payment slips are not acceptable as receipts, however may be required to provide proof of payment.
- c) Any funds owed to the governing body as a result of cash advances or claims for expenses of a personal nature not reimbursed by this policy, etc. shall be submitted to the City. A receipt should be attached to the travel expense report. Any funds owing to the City beyond a 45 day period from the date of return from an out-of-town event may be deducted from the individual's next pay cheque.

4.6.6. FOREIGN EXCHANGE

All claims shall be reimbursed in Canadian Funds.

The exchange rate used in calculation of the reimbursement will be the Bank of Canada rate during the travel period except in the following circumstances:

- If the Officials/Staff provide evidence of the rate obtained at the time of travel, such as bank/currency exchange office or ATM receipts; or,
- In cases where a credit card has been used, the rate used on the credit card purchase(s) will be used for those purchases only. A copy of the credit card statement must be submitted.

4.7. BUSINESS EXPENDITURES

4.7.1. Corporate Purchasing Cards

Where payments are made using a corporate purchasing card for items covered under this section of the policy; all provisions within this policy and the corporate purchasing card policy must be followed.

4.7.2. Hosting (City and/or Non-City employees in attendance)

- a) On occasions when it becomes necessary for an Officials/Staff to host or entertain individuals relating to the advancement of the affairs of the City, such hosting or entertaining shall not be extended solely to an individual(s) who is employed by the City or solely to the spouse or companion of the Officials or Staff member, unless the individual, spouse or companion is attending in an official or business related capacity. In

such cases, all expenses must be accompanied by receipts plus a written explanation setting out the following:

- the purpose for the hosting and the particular circumstances;
- the names and the positions held of the person(s) hosted;
- the location at which the hosting took place.

- b) Hospitality such as beverages, meals, tours or other entertainment is only to be provided to Officials/Staff that have been identified by prior approval to act as hosts to guests of the City.
- c) Reasonable expenses associated with the hosting of business contacts, such as business lunches or dinners, may be reimbursed when the expense is considered to be necessary for the advancement of the interests of the City (Officials or Staff members alone are not considered "business contacts"). The request for reimbursement must include the purpose of the hosting, and the name(s) of the individual(s) hosted.

With pre-approval from the ERO, alcoholic beverages purchased during these business events may be reimbursed. It is the responsibility of the ERO to determine whether the expense should be reimbursed, given the particular circumstances. Officials/Staff must be mindful of the fact that entertainment expenses in particular must be able to withstand public scrutiny.

- d) When two or more Officials or Staff members are present for a business/hosting event, the highest ranking person present must pay for the expenditure and prepare the respective expense report. If this is not feasible, the resultant expense report must still be approved by the ERO of the highest ranking person present.

4.7.3. Meals In-town (Only Officials/Staff in Attendance)

- a) It may be necessary for Officials or Staff to conduct City business over a meal, or an Officials or Staff may incur meal expenses in conjunction with attending a function on City business. It is the responsibility of the ERO to determine whether the meal expense should be reimbursed, given the particular circumstances. Receipts must be detailed and include a description of the purpose of the meal and a list of all persons in attendance.

Alcohol will not be reimbursed.

- b) When two or more Officials or Staff are present for a meal in-town, the highest ranking person present must pay for the expenditure and prepare the respective expense report. If this is not feasible, the resultant expense report must still be approved by the ERO of the highest ranking person present.

4.7.4. Business Expenditures (Non City Staff in Attendance)

Expenses associated with events such as committee meetings, award banquets, a political speech/address or other business related events where the purchase of a ticket or meal is required; will be reimbursed when such expense is considered to have a direct relationship to municipal concerns or interests. Additional reasonable expenses related to these types of events may be reimbursed. Official receipts must be provided.

4.7.5. Working Meetings/Life Events (Only Officials/Staff Present)

- a) Non-alcoholic beverages and snacks may be offered to Officials or Staff required to work through "breaks" (otherwise called "coffee breaks"). Such hospitality should be restricted to occasions where the dispersal of participants during a break period is not desirable (e.g. training workshops). Managerial discretion and due regard for economy should be used in identifying such occasions.

- b) Non-alcoholic refreshments, meals, or both may be offered to Officials or Staff required to work through meal hours. Such hospitality should be restricted to occasions where the dispersal of participants during the meal hour is not desirable. Managerial discretion and due regard for economy should be used in identifying such occasions.
- c) Expenses will be reimbursed for employee events such as: team building events, general staff appreciation or celebrations, recognition of project milestones, or recognition of the extra efforts of employees. It is the responsibility of the ERO to exercise good judgment to ensure that the expense is warranted and reasonable, and that the type of event or award is appropriate for the purpose. Officials and Staff must be mindful of the fact that entertainment expenses in particular must be able to withstand public scrutiny.
- d) Expenses associated with functions for departing staff may NOT be charged to a Service Area's budget. All expenses related to this type of function are the responsibility of those hosting the function.
- e) Cash awards are considered taxable benefits under income tax regulations.
- f) It is NOT permissible to use City funds to purchase flowers or gifts in recognition of any individual or group of individuals unless required within the business context in such circumstances as:
 - i) In the event of the death of an employee, an employee's spouse or an employee's child, Human Resources may purchase flowers on behalf of the City. Where a donation is requested in lieu of flowers, Human Resources may make a contribution up to a maximum of \$100.00. Any flowers or donations shall be clearly marked as having come from the "Municipal Council and Staff of The Corporation of the City of London".
 - ii) In the event of the death of a current Member of Council, a current Member of Council's spouse or a current Member of Council's child, the City Clerk may purchase flowers on behalf of the City. Where a donation is requested in lieu of flowers, the City Clerk may make a contribution up to a maximum of \$100.00. Any flowers or donations shall be clearly marked as having come from the "Municipal Council and Staff of The Corporation of the City of London".
 - iii) In the event of the death of a current local Member of Parliament or current local Member of the Legislative Assembly of Ontario, the City Clerk may purchase flowers on behalf of the City. Where a donation is requested in lieu of flowers, the City Clerk may make a contribution up to a maximum of \$100.00. Any flowers or donations shall be clearly marked as having come from the "Municipal Council and Staff of The Corporation of the City of London".
 - iv) Gifts for employees in keeping with the Council and Corporate Policies and Procedures related to the Employee Service Recognition Program.

4.7.6. Attending Public Functions

When Officials/Staff are officially requested to attend functions at public expense at which there are guests who are not Officials/Staff, the number of Officials/Staff must not exceed the number needed to conduct City business.

Expenses incurred at or for political fundraising events where the Officials/Staff have been requested to attend are not reimbursable.

4.8. APPENDIX A - Risk Management Policy – Insurance coverage for personal vehicles used for City Business

PURPOSE

From time to time, it is necessary for City staff to use a personal vehicle on City business. This policy establishes the requirements of City employees, who receive travel expense reimbursement, are aware of expectations and insurance requirements when using a personal vehicle while on City business.

POLICY

4.8.1. Automobile Liability Insurance Coverage

The Ontario Insurance Act directs that automobile passengers injured during a no fault accident will file the claim with their own insurance company. If they do not hold a policy, they will then file a claim against the policy of their spouse or parent(s) or guardian(s). When a passenger has no access to any other insurance policy they may have a claim made against the insurance policy covering the vehicle that they were a passenger in.

- a) The City purchases “Non-Owned Automobile Liability” insurance. This provides coverage for legal liability arising out of automobile accidents while an employee is using their vehicle for City business. (It does not provide insurance for vehicles operated by employees under contract for snow ploughing.)

Non-Owned Auto protects the City against claims arising out of the use by employees of their own personal vehicles. It does not protect the owner of the vehicle who must by law carry owner's insurance. If the owner's policy does not cover part or all of, a claim when a vehicle is operated on behalf of the City, this 'non-owned' policy provides insurance to the City.

4.8.2. Employees who use their vehicles on City business must maintain a minimum of \$1,000,000.00 automobile liability and statutory accident benefits insurance coverage as required under the Ontario Insurance Act.

a) Injury/Incident Reporting Procedures

Employees will report all automobile accidents that occur while on City business to their Director/Manager as soon as possible.

- b) The Director/Manager will inform Human Resources of injuries involving City employees and Risk Management of injuries to non-employees. The Director/Manager will also complete the appropriate WSIB and Automobile Accident report forms as appropriate.

4.9. APPENDIX B - Excerpt from the Risk Management Manual

4.9.1. INSURANCE ON RENTED VEHICLES GUIDELINES

When vehicles are rented for business purposes they *must be rented in employer's name* in order that the blanket auto insurance policy provides coverage. This is because the *renter's own insurance policy* responds first to claims by injured claimants. Employees who rent vehicles in their own name become contractually responsible for meeting the terms of the contract, including any loss or damage of the vehicle. For example, when an accident arises out of the use or operation of a leased or rented vehicle the priority of those responsible for costs is:

- a) The renter's own automobile insurance policy,
- b) Next is the policy of the driver of the vehicle, (for example, if you rented a vehicle but let a friend drive it), and
- c) The policy of the vehicle owner (the rental company).

4.9.2. PHYSICAL DAMAGE TO RENTED VEHICLES

The Collision Damage Waiver (CDW) on short-term vehicle rental contracts should be declined as the probability of loss is less than the cost of purchasing insurance. Rental car agencies normally charge in between \$10.00 and \$20.00 per day in addition to the daily rental charge. This cost, relative to the risk

involved, is considered to be excessive. In the case of the City and insured Boards, it is not necessary to purchase insurance for physical damage to the vehicles rented when the vehicles rented are valued at less than \$100,000.00.

4.9.3. RESTRICTIONS ON USE

Rental agreements all contain restrictions on certain uses and drivers that, if violated, may affect insurance coverage and make the renter fully responsible for the loss. Renters should pay particular attention to the following typical rental agency restrictions:

- no driver under age 21
- no driver under the influence of alcohol or drugs
- no use inconsistent with normal business travel (see detailed list in rental agreement)

4.9.4. PERSONAL USE OF RENTAL AUTOS

These guidelines and procedures apply only to vehicles rented for use on the business of the City or insured Board. Some personal automobile insurers allow you to add coverage for rented vehicles to your own personal auto insurance policy for a nominal annual fee (approximately \$50.00). This allows individuals to decline the CDW and have collision coverage through your personal auto insurance policy. Interested employees should check with their insurance agent/broker.

4.9.5. REPORTING REQUIREMENTS

All accidents must be reported promptly to the rental agency, to the local police and to Risk Management. See Section 11.3 - Automobile Accident Report - Form No. 1005 (rev.2003.11).

APPENDIX C1

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related By-Law No. CPOL.-24-220 being "Use of Cafeteria as Staff Facility Policy" and replace it with a new Council policy entitled "Use of the City Hall Cafeteria 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 repeal By-law No. CPOL.-24-220 being "Use of Cafeteria as Staff Facility Policy" and replace it with a new Council policy entitled "Use of the City Hall Cafeteria Policy";

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

1. By-law No. CPOL.-24-220 being "Use of Cafeteria as Staff Facility Policy" is hereby repealed.
2. The Policy entitled "Use of the City Hall Cafeteria Policy" attached as Schedule "A" is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Use of the City Hall Cafeteria Policy

Legislative History:

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the general guidelines for use of the Cafeteria at City Hall.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy applies to any individual or group seeking use of the Cafeteria at City Hall.

4. The Policy

4.1 The Cafeteria may be accessed by the general public during regular hours of food service, excluding Council-related activities, unless the Cafeteria has otherwise been reserved through the City Clerk for an event pertaining to City business. It is expected that any member of the general public accessing the Cafeteria will conduct themselves in a manner consistent with that of a professional business operation.

4.2 Booking of the Cafeteria for an event pertaining to City business shall be done through the City Clerk.

4.3 The Cafeteria shall not be used for private events.

APPENDIX C2

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related By-Law No. CPOL.-57-289 being "Discussion on Elected Officials' Salaries to be in Public" and replace it with a new Council policy entitled "Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committees or a Local Agency, Board or Commission 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 repeal By-law No. CPOL.-57-289 being "Discussion on Elected Officials' Salaries to be in Public" and replace it with a new Council policy entitled "Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committees or a Local Agency, Board or Commission Policy";

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

1. By-law No. CPOL.-57-289 being "Discussion on Elected Officials' Salaries to be in Public" is hereby repealed.
2. The Policy entitled "Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committees or a Local Agency, Board or Commission Policy" attached as Schedule "A" is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committees or a Local Agency, Board or Commission Policy

Legislative History:

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the protocol for discussion of the remuneration for Elected Officials and other individuals appointed by City Council to serve on its committees, or a local agency, board or commission, whose remuneration is set by City Council.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy applies to any meeting of City Council, or other body that City Council has charged with reviewing or making recommendations on the remuneration of elected and appointed officials serving on City Council, its Committees or any other local agency, board or commission.

4. The Policy

- 4.1 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 local agency, board or commission whose compensation is set by the Municipal Council, shall be held in public session.

APPENDIX C3

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related By-Law No. CPOL.-58-290 being “Council Appointee to External Board or Commission – Membership Paid by City” and replace it with a new Council policy entitled “Payment of Membership Fees of a Council Appointee to an External Board or Commission 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 repeal By-law No. CPOL.-58-290 being “Council Appointee to External Board or Commission – Membership Paid by City” and replace it with a new Council policy entitled “Payment of Membership Fees of a Council Appointee to an External Board or Commission”;

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

1. By-law No. CPOL.-58-290 being “Council Appointee to External Board or Commission – Membership Paid by City” is hereby repealed.
2. The Policy entitled “Payment of Membership Fees of a Council Appointee to an External Board or Commission” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Payment of Membership Fees of a Council Appointee to an External Board or Commission

Legislative History:

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes who shall pay any fees associated with the membership which is required to be maintained by the City Council representative on an external board or commission, as compelled by the constitution or terms of reference for the said board or commission.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy applies to any City Council representative on an external board or commission.

4. The Policy

4.1 Any fee associated with a membership which is required to be maintained by the City Council representative on an external board or commission, as compelled by the constitution or terms of reference for the said board or commission, shall be paid by the City of London rather than by the Council appointee personally.

APPENDIX C4

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related By-Law No. CPOL.-61-293 being “Anonymous Communications, Etc.” and replace it with a new Council policy entitled “Processing of Anonymous Communications 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 repeal By-law No. CPOL.-61-293 being “Anonymous Communications, Etc.” and replace it with a new Council policy entitled “Processing of Anonymous Communications Policy”;

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

1. By-law No. CPOL.-61-293 being “Anonymous Communications, Etc.” is hereby repealed.
2. The Policy entitled “Processing of Anonymous Communications Policy” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Processing of Anonymous Communications Policy

Legislative History:

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the protocol for handling anonymous communications received by the City of London via mail, facsimile, electronically, telephone, or any other means.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to Elected Officials and employees of the City of London.

4. The Policy

4.1 This policy authorizes the Civic Administration to accept anonymous communications received via mail, facsimile, electronically, telephone or any other means and deliver them to their intended receiver, subject to the following conditions:

- a) no anonymous communication shall be forwarded to City Council or a Standing Committee of City Council, in accordance with the Council Procedure By-law; and
- b) 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, anonymous and otherwise.

APPENDIX C5

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related By-Law No. CPOL.-63-295 being “City Representation at “Out of Town” Functions” and replace it with a new Council policy entitled “City Council Representation at “Out of Town” Functions 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 repeal By-law No. CPOL.-63-295 being “City Representation at “Out of Town” Functions” and replace it with a new Council policy entitled “City Council Representation at “Out of Town” Functions Policy”;

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

1. By-law No. CPOL.-63-295 being “City Representation at “Out of Town” Functions” is hereby repealed.
2. The Policy entitled “City Council Representation at “Out of Town” Functions Policy” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: City Council Representation at "Out of Town" Functions Policy

Legislative History:

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the protocol for City Council representation at out of town functions.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to Members of Council.

4. The Policy

4.1 In those instances where the Mayor is unable to represent the City Council 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 Council at such function, the Mayor shall canvass all of the other Members of the Municipal Council as to their interest and availability to attend the function, before making a decision as to which Member will be selected by the Mayor to represent the City Council.

APPENDIX C6

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related By-Law No. CPOL.-65-297 being “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 Appointments to Boards, Commissions and Advisory Committees 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 repeal By-law No. CPOL.-65-297 being “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 Appointments to Boards, Commissions and Advisory Committees Policy”;

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

1. By-law No. CPOL.-65-297 being “Civic Administration - Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees” is hereby repealed.
2. The Policy entitled “Civic Administration Appointments to Boards, Commissions and Advisory Committees Policy” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Civic Administration Appointments to Boards, Commissions and Advisory Committees Policy

Legislative History:

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy details when a member of the Civic Administration may or may not be appointed as a voting member on a local board, commission or advisory committee.

2. Definitions

For the purposes of this policy,

- 2.1 "**Civic Administration**" – shall mean any employee of The Corporation of the City of London.

3. Applicability

- 3.1 This policy shall apply to all members of the Civic Administration.

4. The Policy

- 4.1 Members of the Civic Administration shall not be appointed as voting members to Advisory Committees.
- 4.2 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.

APPENDIX C7

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related By-Law No. CPOL.-73-305 being “Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman” and replace it with a new Council policy entitled “Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman 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 repeal By-law No. CPOL.-73-305 being “Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman” and replace it with a new Council policy entitled “Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman Policy”;

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

1. By-law No. CPOL.-73-305 being “Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman” is hereby repealed.
2. The Policy entitled “Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman Policy” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman Policy

Legislative History:

Last Review Date: June 25, 2018

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy sets out the requirements for the public release of information pertaining to investigations undertaken by the Ontario Ombudsman.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to all investigations undertaken by the Ontario Ombudsman pertaining to the business of The Corporation of the City of London.

4. The Policy

4.1 Notification of Commencement of an Investigation by Ontario Ombudsman

- a) 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.
- b) 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.
- c) 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.

4.2 Receipt of Final Report

- a) 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.
- b) 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.
- c) 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.

APPENDIX B1

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-118-370 being "City of London Race Relations Policy" and replace it with a new Council policy entitled "City of London Race Relations/Anti-Racism 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 Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-118-370 being "City of London Race Relations Policy" and replace it with a new Council policy entitled "City of London Race Relations/Anti-Racism Policy";

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

1. By-law No. CPOL.-118-370 being "City of London Race Relations Policy" is hereby repealed.
2. The Policy entitled "City of London Race Relations/Anti-Racism Policy" attached as Schedule "A" is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule “A”

Policy Name: City of London Race Relations/Anti-Racism Policy

Legislative History:

Last Review Date: July 23, 2018

Service Area Lead: Specialist, Organizational Development (Diversity and Inclusion)

1. Policy Statement

Racism will not be accepted or tolerated in London. The people of The City of London honour and believe in the dignity and worth of every person and are committed to tearing down racism. The citizens acknowledge and reinforce that each person has the right to live, work, receive services, and participate fully in an environment free of discrimination and harassment based on bias, bigotry or prejudice against a race or racialization of an individual or a group within the society.

2. Definitions

2.1. **Corporation** – refers to The Corporation of the City of London

2.2. **Race** – shall include: race, ancestry, place of origin, colour, ethnic origin, citizenship and creed (religion), in accordance with the prohibited grounds of Ontario’s *Human Rights Code*, as well as expression through language, accent and dress.

3. Applicability

This Policy applies to The Corporation of the City of London (“Corporation”), including its Advisory Committees, Agencies, Boards and Commissions and provides expressed values for enabling the entire community to work toward the elimination of racism. This policy applies to:

- all levels of Civic Administration, all employees, visitors and vendors on record;
- individuals of The City of London; and,
- the community of The City of London including its agencies, organizations and businesses;

4. The Policy

Racism is alive and thrives in our community; we begin by acknowledging that racism exists. It is a learned behaviour based on fear and ignorance of the unknown and personalized perceptions and assumptions. Racism can be blatant, subtle or hidden, internalized and is often denied. It can be practiced culturally, environmentally, structurally, and institutionalized. Racism will destroy the fabric of our pluralistic, multi-cultural society we live in, if it remains unchallenged and it is not stopped.

Our challenges are to:

- recognize racist attitudes and behaviours
- recognize attitudes and behaviours that encourage racism
- unlearn racism
- unite against racism
- eliminate racism

The purpose of this Policy is:

- to promote The City of London as a city that is welcoming and safe for all people;
- to strengthen city-wide awareness of the existence of racism in London, in order that we can eliminate it; and
- to provide an evolving community model, which provides the framework for all Londoners to work together to achieve the Strategic Directions of this Policy.

The London Community including individuals, and the Corporation, will work toward achieving the following:

CORPORATION

1. **Develop an Implementation Plan for this Policy** by taking the lead, providing the required resources, and by making it a priority to work in partnership with individuals and the community to realize the intent of this Policy for the elimination of racial discrimination and harassment.
2. **Promote mutual Awareness, Inclusion, Understanding and Appreciation of all people** so that everyone, regardless of race, can have a full and meaningful participation in our community.
3. **Develop and Implement Race Relations Communication and Public Education Strategies** designed to identify and raise awareness of the existence of racism and eliminate all types of racial barriers.
4. **Ensure that Employment Policies and Practices** are free of racially discriminatory barriers in the workplace.
5. **Enhance the Training, and Education of Staff and Volunteers** to provide them with the skills, and awareness about attitudes, policies, procedures, and practices that may or may not be intentionally discriminatory, but have the impact of being discriminatory.
6. **Involve Londoners in Planning for, Accessing, Providing, and Evaluating Services** which are respectful of the needs of our various racial communities.
7. **Establish Mechanisms to ensure that Racial Discrimination and Racial Harassment are not Encouraged or Allowed**, which could apply both internally and externally to any person, business or organization that deals with the Corporation.

INDIVIDUALS/COMMUNITY

1. **Support the Development of an Implementation Plan For this Policy** by working in partnership with the Corporation, individuals and the community to realize the intent of this Policy for the elimination of racial discrimination and harassment.
2. **Promote mutual Awareness, Inclusion, Understanding and Appreciation of all people** so that everyone, regardless of race, can have a full and meaningful participation in our community.
3. **Develop & Implement Race Relations Communication and Public Education Strategies** designed to identify and to raise awareness of the existence of racism and eliminate all types of racial barriers.
4. **Ensure that Employment Policies and Practices** are free of racially discriminatory barriers in the workplace.
5. **Enhance the Training, and Education of Staff and Volunteers** to provide them with the skills, and awareness about attitudes, policies, procedures, and practices that may or may not be intentionally discriminatory, but have the impact of being discriminatory.
6. **Participate in Planning for, Accessing, Providing, and Evaluating Services** which are respectful of the needs of our various racial communities.
7. **Endeavor to Establish Mechanisms to ensure that Racial Discrimination and Racial Harassment are not Encouraged or Allowed**, which could apply both internally and externally.

APPENDIX B5

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related to By-Law No. CPOL.-147-399 being "Retirement Dinners for Department Heads" and replace it with a new Council policy entitled "Retirement Dinners for Service Area Leads."

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 Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-147-399 being "Retirement Dinners for Department Heads" and replace it with a new Council policy entitled "Retirement Dinners for Service Area Leads";

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

1. By-law No. CPOL.-147-399 being "Retirement Dinners for Department Heads" is hereby repealed.
2. The Policy entitled "Retirement Dinners for Service Area Leads" attached as Schedule "A" is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Schedule "A"

Policy Name: Retirement Dinners for Service Area Leads

Legislative History:

Last Review Date: July 23, 2018

Service Area Lead: Manager, Rewards and Recognition

1. Policy Statement

- 1.1. Service Area Leads who retire from The Corporation of the City of London ("Corporation") will be recognized at an annual retirement event for all retiring employees.

2. Definitions

- 2.1. **Corporation** – refers to The Corporation of the City of London
- 2.2. **Service Area Lead** – as defined in the Civic Administration By-law

3. Applicability

- 3.1. This policy applies to the Corporation and its role regarding the provision of retirement dinners for Service Area Leads.

4. The Policy

Service Area Leads will be recognized at the Annual City of London Retirement Event held for all retiring employees of the municipality. As a result, the Corporation will not sponsor individual retirement dinners for Service Area Leads.