

CORPORATION OF THE TOWNSHIP OF MCNAB/BRAESIDE

BY-LAW NO. 2016-05

Being a By-Law to appoint an Integrity Officer Pursuant to Section 223.3 of the Municipal Act, 2001, as amended.

WHEREAS effective January 1, 2016, Section 223.3 of the Municipal Act, 2001 as amended, authorizes the municipality to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner, the functions assigned by the municipality as set out in this Section of the Municipal Act, 2001;

AND WHEREAS Council deems it desirable to appoint Mr. Robert Rantz as the Integrity Commissioner to investigate all requests on behalf of the Municipality and its Local Boards for a one year fixed term commencing January 20, 2016 and renewing annually. Either party may terminate this appointment upon giving sixty (60) days' notice in writing to the other party;

AND WHEREAS Mr. Robert Rantz will be paid an hourly rate of \$75.00 per hour. This rate shall be charged only for such time that Mr. Robert Rantz is actively investigating a Complaint and preparing and presenting his report with respect thereto;

NOW THEREFORE the Council of the Corporation of the Township of McNab/Braeside hereby enacts as follows:

1. That pursuant to section 223.3 of the Municipal Act, 2001, as amended, (the "Act") Council hereby appoints Robert Rantz as the independent Commissioner to investigate in accordance with the legislation all requests for an investigation of the Council and Committees of the Municipality and the Local Boards and their Committees of the Municipality. For the purposes of this By-Law "committee" and "local board" shall have the meaning as defined in section 238 of the Act.
2. The appointment shall be for a term of one year commencing the twentieth day of January, 2016 and ending on December 31, 2016 and will be renewed annually unless sixty (60) days written notice is given by either party.
3. Robert Rantz shall, in carrying out the functions of the Integrity Commissioner, have regard to, among other matters, the importance of the Commissioner's credibility, the independence, impartiality and confidentiality with respect to the investigative process.
4. The Commissioner may hear or obtain information from such persons as the Commissioner thinks fit, and may make such inquiries as Commissioner thinks fit and it is not necessary for the Investigator to hold any hearing.
5. Subject to section 6, no person is entitled as of right to be heard by the Commissioner.
6. If at any time during the course of an investigation it appears to the Commissioner that there may be sufficient grounds for a report or recommendation that may adversely affect the municipality, a local board or any other person, the Commissioner shall give him, her or it an opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel.

7. After conducting an investigation, the Commissioner shall report to the municipality or in the case of a local board, to the local board and the municipality. The report shall include an opinion and the reasons for it and may make such recommendations as the Commissioner thinks fit. The report shall be included on the next agenda of Council or in the case of a Local Board, the Council and the Local Board agendas, immediately following receipt of the report.
8. Every request for an investigation by a person shall include all of the following:
 - a. be directed to the CAO/Clerk;
 - b. be in writing;
 - c. include reasons for the request;
 - d. be signed; and
 - e. include an address and telephone number of the person making the request.
9. That this By-Law forms a contract between the Township of McNab/Braeside and Mr. Robert Rantz.
10. This By-Law shall come into force and take effect on the 19th day of January, 2016.

BE IT FURTHER ENACTED, that all By-Laws, or parts thereof, and all or any Resolutions of Council contrary thereto, or inconsistent herewith, be and the same are hereby repealed.

READ a first time this 19th day of **January, 2016**.

READ a second time this 19th day of **January, 2016**.

READ a third and final time and passed this 19th day of **January, 2016**.



MAYOR



CAO/CLERK