



TOWN OF ERIN
ADVISORY COMMITTEE APPLICATION

Boards and Committees play an important role in the local democratic process. Community participation is a key part of building Erin's future. Members of the public appointed to serve on the Town of Erin's Boards and Committees provide Council with a variety of diverse perspectives, specialized skills and expertise specific to the mandate of the public body they serve. The Town of Erin is committed to a fair and equitable recruitment process.

Accessible formats of this application are available upon request.

Personal Information

Name \_\_\_\_\_ Phone # (home) \_\_\_\_\_
Address \_\_\_\_\_ Phone # (cell) \_\_\_\_\_
Postal Code \_\_\_\_\_
E-mail \_\_\_\_\_ At least 18 years old? Yes No

Personal information, as defined in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), is collected under the authority of the Municipal Act, 2001 and will be used in accordance with MFIPPA. The information will be used to determine eligibility for appointment and will be retained for future volunteer appointments where authorized. Questions about this collection of personal information should be directed to the Clerk's Office, 5684 Trafalgar Road, Hillsburgh, ON N0B 1Z0, telephone 519-855-4407 x223 or email clerks@erin.ca.

I, \_\_\_\_\_, hereby authorize the release of the above personal information to Council, other board or committee members and appropriate staff.
Signature

I, \_\_\_\_\_, hereby authorize that my name and contact information may be made public for committee purposes.
Signature

I, \_\_\_\_\_, authorize the Town to retain my personal information for the purpose of future volunteer appointment opportunities.
Signature

Please be advised that every committee selected could result in an appointment for each.

I am applying to serve on the following Committee(s)/Board(s):

<b>Committees Available</b>	<b>Select all that apply:</b>
Environment & Sustainability Advisory Committee (ESAC)	
Erin Economic Development Committee (EEDC)	
Hillsburgh Community Committee (HCC)	
Parks, Recreation & Trails Advisory Committee (PRTAC)	
Town of Erin Heritage Committee (TEHC)	

I am available to attend meetings during the:      day or evening      day only      evening only

**Questionnaire** *(if needed attach additional pages)*

Please indicate any Committee(s)/Board(s) on which you have previously served; and any other volunteer work or community involvement:

--

If you are appointed, what do you hope to contribute to the committee(s)?

--

Please list any education, experience, or qualifications you would bring to the committee membership. You may attach additional information (e.g., a resume, CV, or letters of reference).

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The Town of Erin is committed to ensuring professionalism and ethical practices as per the Code of Conduct for Members of Council and Local Boards and Committee Policy and Procedures (attached below).

I, \_\_\_\_\_, have reviewed and fully understand the applicable Code of Conduct and hereby acknowledge that any contravention may result in the termination of my appointment.

\_\_\_\_\_  
Signature

I, \_\_\_\_\_, have reviewed and fully understand the applicable Committee Policy and Procedures and hereby acknowledge that any contravention may result in the termination of my appointment.

\_\_\_\_\_  
Signature

**Please be aware** that the application process is not complete until a resolution is passed at a meeting of Council. We thank all of those who apply; however, only successful applicants will be contacted once Council makes its decision. Council meeting dates and agendas are available at <https://www.erin.ca/town-hall/town-council/meetings-and-agendas>

Town of Erin Committee Schedules can be found at <https://www.erin.ca/town-hall/committees/meeting-schedule>

If you require further information, please contact the Clerk's Office by email to [clerks@erin.ca](mailto:clerks@erin.ca) or by calling 519-855-4407 x223. Be advised that all individuals appointed to a committee will be required to sign the "volunteer declaration" form. Personal Information contained on this form is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act* and will be used to evaluate the qualifications of applicants to Town of Erin Committees. Questions about this collection should be directed to the Clerk's Office, 5684 Trafalgar Road, Hillsburgh, ON N0B 1Z0, telephone 519-855-4407 x223 or email [clerks@erin.ca](mailto:clerks@erin.ca).



## **TOWN OF ERIN POLICIES AND PROCEDURES**

### **CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS**

Council Approval: January 9, 2019

Effective Date: January 9, 2019

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### **CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS**

#### **PREAMBLE**

Members of Council have the privilege of attaining elected office. That privilege carries significant responsibilities and obligations with respect to the public trust. In order to strengthen the role of Council and to enhance public trust with respect to the obligations of its Members, this Code is established to govern and regulate the ethical conduct of all Members. This Code also supplements other existing Federal and Provincial legislation and Town by-laws and policies that govern Members' conduct which include but are not limited to the following:

- Criminal Code of Canada
- Municipal Act
- Municipal Conflict of Interest Act
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health and Safety Act (Violence and Harassment in the workplace)
- Ontario Human Rights Code
- Planning Act
- All by-laws and policies approved by Council of the Town of Erin.

#### **1. PURPOSE AND PRINCIPLES**

- 1.1 The Code sets out and identifies the Town's expectations for its Members and establishes rules for appropriate conduct.
- 1.2 The public expects the highest moral and ethical standards of conduct from Members that it elects. The behaviour and actions of Members is expected to reflect the principles of accountability, transparency, and public trust. Adherence to these standards will protect and maintain the Town's reputation and integrity.

- 1.3 The key statements of principle that underline this Code are as follows:
- (a) the decision-making process of Council is open, accessible and equitable and respects the Town's governance structure;
  - (b) public office is not to be used for the personal financial benefit of any Member;
  - (c) Town residents should have confidence in the integrity of their local government and of their Members; and
  - (d) the conduct of each Member demonstrates fairness, respect for differences and a duty to work with other Members together for the common good.

## 2. DEFINITIONS

2.1 In this Code:

- (a) "**Applicant**" means a person who has applied for an investigation by the Integrity Commissioner of an alleged contravention of the *Municipal Conflict of Interest Act*;
- (b) "**Application**" means a written request for an investigation with respect to an alleged contravention of the Municipal Conflict of Interest Act;
- (c) "**Clerk**" means the Clerk of the Town or his/her designate;
- (d) "**Code**" means the "Code of Conduct for Council Members" as established by Council pursuant to Section 223.2 of the *Municipal Act, 2001*;
- (e) "**Complainant**" means a person who has filed a complaint in accordance with this Code;
- (f) "**Complaint**" means a written objection filed with the Integrity Commissioner pursuant to this Code respecting a Member;
- (g) "**confidential information**" means any information in the possession of or received in confidence by the Town that the Town is prohibited from disclosing or has decided to refuse to disclose under the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation, which includes but is not limited to:
  - (i) information that is disclosed or discussed at a meeting that is closed to the public pursuant to subsection 239(2) of the *Municipal Act, 2001*;
  - (ii) information that is given verbally in confidence in preparation for or following a meeting that is closed to the public pursuant to subsection 239(2) of the *Municipal Act, 2001*;

- (iii) personal information as defined in subsection 2(1) of the *Municipal Freedom of Information and Protection of Privacy Act*;
  - (iv) advice that is subject to solicitor-client privilege or information that concerns litigation or potential litigation, including matters before administrative tribunals, affecting the Town;
  - (v) information that concerns any confidential matters pertaining to personnel, labour relations, or items under negotiation;
  - (vi) price schedules in contract tenders and information about suppliers provided in contract tender or requests for information, quotation or proposal submissions, if such information is given in confidence, implicitly or explicitly;
  - (vii) sources of complaints where the identity of the complainant is given in confidence; or
  - (viii) any information lawfully determined by the Council to be confidential or required to remain or be kept confidential by legislation or order.
- (h) **“Council”** means the Council of the Corporation of the Town of Erin.
- (i) **“gift”** means cash, fees, admission fees, advances, vouchers, invitations, objects of value, services, offers, personal benefits, travel and accommodation or entertainment that are provided to and retained by a Member, that could be seen to be connected directly or indirectly to the performance of the Member’s duties;
- (j) **“harassment”** or **“harass”** involves engaging in a course of behaviour, comment or conduct, whether it occurs inside or outside the work environment, that is or ought reasonably to be known to be unwelcome. It includes but is not limited to any behaviour, conduct or comment by a Member that is directed at or is offensive to another person:
- i) on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status, as well as any other grounds under the provisions of the Human Rights Code; or
  - ii) which is reasonably perceived by the recipient as an intention to bully, embarrass, intimidate or ridicule the recipient.
- (k) **“Integrity Commissioner”** means the Integrity Commissioner appointed by Council pursuant to Section 223.3 of the *Municipal Act, 2001*;
- (l) **“Local Board”** is hereby defined as in Section 1(1) and Section 223.1 of the *Municipal Act*, as amended.
- (m) **“meeting”** means any legally-constituted meeting of Council or a Local Board;

- (n) “**Member**” means a member of Council including the Mayor, or a member of a Local Board;
- (o) “**social media**” means web-based applications and on-line forums that allow users to interact, share and publish content such as text, links, photos, audio and video;
- (p) “**staff**” means direct employees of the Town whether full-time, part-time, contract (including employees of staffing agencies) or casual (including students and volunteers);
- (q) “**Town**” means the Corporation of the Town of Erin; and
- (r) “**Town property**” includes, but is not limited to, all real and personal property, facilities, vehicles, equipment, supplies, services, staff, documents, intellectual property, computer programs or technological innovations belonging to the Town.

### **3. CONDUCT OF MEMBERS**

A Member shall at all times conduct themselves with propriety, decency and respect and with the understanding that all members of the public, other Members and staff are to be treated with dignity, courtesy and respect, recognizing that a Member is always a representative of the Town and of their elected office. A Member shall at all times conduct themselves with decorum and in accordance with the Town’s Procedure By-law during any meetings and in a manner that demonstrates fairness, respect for individual differences, and an intention to work together for the common good and in furtherance of the public interest.

### **4. COMPLIANCE WITH THE CODE OF CONDUCT**

4.1 This Code applies to every Member. This Code shall be applied to members of Local Boards, who are not members of Council, with necessary modifications applied in the discretion of the Integrity Commissioner.

4.2 A Member shall:

- (a) observe and comply with every provision of this Code, as well as all other policies and procedures adopted or established by Council affecting the Member, acting in his or her capacity as a Member;
- (b) respect the integrity of the Code and inquiries and investigations conducted under it; and
- (c) co-operate in every way possible in securing compliance with the application and enforcement of the Code.

4.3 No Member shall:

- (a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to the Integrity Commissioner or any other person; or
- (b) obstruct the Integrity Commissioner, or any other municipal official involved in applying or furthering the objectives or requirements of this Code, in the carrying out of such responsibilities, or pursuing any such objective.

## **5. TRANSPARENCY AND OPENNESS IN DECISION MAKING**

Members shall:

- (a) conduct Council business and their duties in an open and transparent manner so that stakeholders can understand the process and rationale which has been used to reach decisions;
- (b) ensure the public has input and receives notice regarding Council's decision making processes in accordance with the Procedure By-law;
- (c) ensure compliance with the *Municipal Act*, *Municipal Conflict of Interest Act*, *Municipal Freedom of Information and Protection of Privacy Act*, and other applicable legislation regarding open meetings, accountability and transparency.

## **6. ACCESS TO INFORMATION AND CONFIDENTIALITY**

A Member shall:

- (a) only be entitled to have access to information in the possession of the Town that is relevant to matters before Council or a Committee or that is relevant to their role as Members of Council. Otherwise, they have the same access rights to information as any member of the public. and
- (b) have a continuing obligation to keep information confidential, even if the Member ceases to be a Member.

No Member shall:

- (a) obtain access, or attempt to gain access, to confidential information in the custody or control of the Town except in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*;
- (b) disclose, release or publish by any means, including social media any confidential information acquired by virtue of his or her office, in any form, except when required or authorized by Council or otherwise by law to do so;
- (c) provide to any other person to disclose, release, publish any confidential information acquired by virtue of his or her office, in any form, except when required or authorized by Council or otherwise by law to do so;



- (d) use confidential information for personal or private gain or benefit, or for the personal or private gain or benefit of any other person or body; or
- (e) disclose or discuss, through written, electronic or verbal communication, to any individual or corporate third party, any information that has been or will be discussed at a closed session meeting of Council or a Committee until such time that Council or a Committee has determined or has been advised by staff that the matter, or any part of the matter, can be made public subject to review by the head or designate under the *Municipal Freedom of Information and Protection of Privacy Act* or if directed to do so by a court.

## **7. UNDUE USE OF INFLUENCE**

No Member shall use their status as a Member of Council to improperly influence the actions or decisions of staff or others to the private advantage of the Member or his or her family, employees or business associates.

## **8. STAFF RELATIONS**

- 8.1 Only Council as a whole and no single Member including the Mayor, has the authority to direct employees, approve budgets, policy, and other such matters, unless specifically authorized by Council.
- 8.2 A Member shall:
  - (a) respect staff and acknowledge that staff is required to provide objective advice while remaining neutral, carry out directions of council as a whole, and administer the policies of the Town without undue influence from any Member.
  - (b) Respect the administrative structure and direct any staff performance concerns through the appropriate supervisory staff.
- 8.3 No Member Shall:
  - (a) maliciously or falsely impugn the professional or ethical reputation of any staff;
  - (b) compel staff to engage in partisan political activities, or subject staff to threat or discrimination for refusing to engage in such activities; or
  - (c) use their authority or influence to threaten, intimidate, or coerce staff or improperly interfere the lawful exercise of the duties of staff.

## **9. GIFTS**

- 9.1 No Member shall accept a gift or personal benefit that is connected directly or indirectly with the performance of their duties unless authorized by one of the exceptions below.

9.2 Notwithstanding Section 9.1 the following exceptions are applicable:

- (a) gifts received as an incident of protocol or social obligation that normally accompany the responsibilities of elected office;
- (b) gifts that are not connected directly or indirectly with the performance or duties of office;
- (c) compensation authorized by law;
- (d) a reimbursement of reasonable expenses incurred in the performance of activities connected with a legitimate municipal purpose;
- (e) political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- (f) services provided without compensation by persons volunteering their time;
- (g) a suitable memento of a function with nominal value, honouring the Member or the Town;
- (h) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political sub-divisions of them, and by the federal government or the government of a foreign country;
- (i) food, beverages and/or admission fees provided by banquets, receptions or similar events if attendance is the result of protocol or social obligation consistent with the responsibilities of office, and the person extending the invitation has done so infrequently and that person or a representative of the organization is in attendance;

## **10. USE OF TOWN PROPERTY**

10.1 A Member shall:

- (a) only use Town property for activities relevant to their role as Members of Council; and
- (b) not obtain any personal financial gain or advantage from the use of Town property.

## **11. POLITICAL ACTIVITY**

11.1 Members may not use Town resources for any type of political activity during a municipal election and at any other time, including promoting or opposing the candidacy of any person to elected office in any municipal, provincial and federal campaign.

## **12. HARASSMENT**

No member shall harass any other member, any staff, or any member of the public.

## **13. ENCOURAGEMENT OF RESPECT FOR THE TOWN AND ITS BY- LAWS**

13.1 A member shall:

- (a) encourage the public, prospective contractors and members of the public, and their colleagues to abide by the Town's by-laws and policies, including this Code; and
- (b) accurately communicate the decisions of Council even if they disagree with the majority decision of Council, and by so doing affirm the respect and integrity in the decision-making processes of Council.

## **14. SOCIAL MEDIA**

14.1 A member shall:

- (a) adhere to any and all Town policies and guidelines, regarding social media use; and
- (b) always identify themselves without any attempt to cover, disguise or mislead as to their identity or status as an elected representative of the Town when using social media.

14.2 No member shall:

- (a) use social media to publish anything that is dishonest, untrue, offensive, disrespectful, constitutes harassment, is defamatory or misleading in any way.

## **15. ROLE OF THE INTEGRITY COMMISSIONER**

15.1 The Town shall appoint an Integrity Commissioner under Section 223.3 of the Municipal Act, 2001 who is an independent officer and who will report directly to Council and be responsible for carrying out his or her functions in accordance with the Municipal Act, 2001 and any other functions assigned by Council, in an independent manner.

15.2 The Integrity Commissioner shall provide the following services:

- (a) The application of the code of conduct for members of council and the code of conduct for members of local boards or of either of them.

- (b) The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards or of either of them.
- (c) The application of sections 5, 5.1 and 5.2 of the Municipal Conflict of Interest Act to members of council or of local boards.
- (d) Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
- (e) Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
- (f) Requests from members of council and of local boards for advice respecting their obligations under the Municipal Conflict of Interest Act.
- (g) The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's code of conduct for members of council and members of local boards and about the *Municipal Conflict of Interest Act*.

## **16. COMPLAINT/APPLICATION PROCESS**

16.1 A complaint that a member has contravened the Code may be initiated by any person, any Member of Council, or by Council as follows:

- (a) a complaint shall be made in writing and shall be sent directly to the Integrity Commissioner by mail, e-mail, fax or courier;
- (b) a complaint must be signed and dated by the complainant who shall be an identifiable individual (complaints may not be submitted by any group, organization or corporation);
- (c) a complaint shall include:
  - (i) an explanation, with specific reference to sections of the Code, as to why the issue raised is alleged to be a contravention of the Code;
  - (ii) any evidence in support of the allegation; and
  - (iii) any witnesses in support of the allegation must be identified.

16.2 If filed with the Integrity Commissioner after March 1, 2019, an Application to the Integrity Commissioner to inquire into an alleged contravention of Sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* ("MCIA") may be made by an elector as defined in Section 1 of the MCIA or by a person demonstrably acting in the public interest, as follows:

- (a) An application shall be made in writing and shall be sent directly to the Integrity Commissioner by mail, e-mail, fax or courier;
- (b) An Application must be signed and dated by the complainant who shall be an identifiable individual (complaints may not be submitted by any group, organization or corporation);
- (c) An Application shall include:
  - (i) An explanation with specific reference to sections of the MCIA, as to why the issue raised is alleged to be a contravention of the Act;
  - (ii) any evidence in support of the allegation;
  - (iii) any witnesses in support of the allegation must be identified; and
  - (iv) a statutory declaration attesting to the fact that the applicant became aware of the alleged contravention not more than six weeks before the date of application in accordance with Section 223.4.1 (5) & (6) of the *Municipal Act*, as amended.
- (d) An Application may only be made within six weeks after the applicant became aware of the alleged contravention and otherwise in compliance with Section 223.4.1(5) & (6) of the Municipal Act, as amended.

16.3 The Integrity Commissioner shall undertake an initial review of a complaint that has been filed and shall determine whether the matter relates to non-compliance with the Code or other corporate policy applying to Members. The Integrity Commissioner shall have no power or jurisdiction to investigate or otherwise deal with the complaint, if the complaint is not alleging a contravention of the Code or other corporate policy applying to Members or if the complaint relates to the following matters:

- (i) **Criminal Matter** – if the complaint relates to an allegation of a criminal nature consistent with the Criminal Code, the complainant shall be advised that pursuit of such an allegation must be made through the appropriate police service;
- (ii) **Municipal Freedom of Information and Protection of Privacy** – if the complaint relates to a matter under the Municipal Freedom of Information and Protection of Privacy Act, the complainant shall be referred to the Clerk.
- (iii) **Municipal Elections Act** – if the complaint relates to the enforcement of the Municipal Elections Act, the complainant shall be referred to the Compliance Audit Process if the matter relates to campaign finances or to such other avenues of investigation as dictated by that Act.

16.4 If the Integrity Commissioner determines they do not have jurisdiction as described in Section 16.3 the Integrity Commissioner shall advise the complainant in writing accordingly.

16.5 The Integrity Commissioner may dispose of a complaint on the basis that it is not within the jurisdiction of the Integrity Commissioner in a summary manner and

- may do so confidentially or report same to Council. The Integrity Commissioner may also seek further information or clarification from the complainant and shall endeavour to apprise the complainant of subsequent steps and the processing of the complaint and any ensuing investigation.
- 16.6 If the Integrity Commissioner is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Integrity Commissioner may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. The Integrity Commissioner shall advise the complainant in writing of his or her decision and reasons for not undertaking an investigation or terminating it.
- 16.7 If the Integrity Commissioner has decided to commence an investigation of a complaint (except where otherwise required by the *Public Inquiries Act, 2009*, if applicable), the Integrity Commissioner shall provide a copy of the complaint and supporting evidence to the Member whose conduct is in question with a request for a written response to be provided within ten (10) days. The Integrity Commissioner may provide the response from the Member to the complainant with a request for a written reply also within ten (10) days.
- 16.8 The Integrity Commissioner shall review the written responses and may, if necessary discuss the matter with anyone that the Integrity Commissioner considers is relevant to the complaint. The Integrity Commissioner may access and examine any of the information described in subsections 223.4(3) and (4) of the *Municipal Act, 2001* and may access any Town workplace relevant to the complaint, including any documents or records under the custody or control of the Town.
- 16.9 Before finalizing a report to Council which recommends sanctions, the Integrity Commissioner shall provide the Member with the basis for their findings and any sanctions that may be recommended. The Member shall have the opportunity to comment further, either in writing, verbally or in person to the Integrity Commissioner on the proposed findings and sanctions.
- 16.10 Upon conclusion of a complaint investigation, the Integrity Commissioner shall:
- (a) issue a report to Council on the findings of the investigation and, where there is a finding of contravention of the Code, the report shall contain the detailed findings, any recommended sanctions, or any settlement; and
  - (b) provide a copy of the final report to the Member at the same time as the final report is made available to the Clerk and to the complainant at the same time as the report becomes public.
- 16.11 Upon conclusion of an Application investigation, the Integrity Commissioner may, if he/she considers it appropriate, apply to a Judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the member has contravened Section 5, 5.1 or 5.2 of the Act.
- 16.12 The Integrity Commissioner shall:

- (a) advise the applicant if he or she will not be making an application to a judge; and
- (b) after deciding whether or not to apply to a judge, provide a written report providing reasons for the decision.

16.13 The Integrity Commissioner's report on a complaint shall be placed on an agenda for consideration at a public meeting of the Committee of the Whole or Council, in accordance with the Procedure By-law, as determined by the Clerk in consultation with the Integrity Commissioner.

## **17. PENALTIES**

17.1 Upon receipt of a final report and the recommendations of the Integrity Commissioner, Council may, where the Integrity Commissioner has determined there was a violation of the Code, impose either of the following two (2) penalties:

- (a) a reprimand; or
- (b) suspension of remuneration paid to the Member in respect of his or her services as a Member for up to ninety (90) days.

17.2 Council may also take the following actions:

- (a) removal from membership of a Local Board;
- (b) removal as chair of a Local Board;
- (c) request the repayment or reimbursement of monies received;
- (d) request the return of property or reimbursement of its value;

## **18. INTERPRETATION**

18.1 This code shall be interpreted as follows:

- (a) the headings in the Code form no part of the Code but shall be deemed to be inserted for convenience of reference only;
- (b) all changes in number and gender shall be construed as may be required by the context;
- (c) the reference to any Town official shall be deemed to include the Town official who performs the duties of such referenced person from time to time, including their delegates;
- (d) the reference to Integrity Commissioner shall be deemed to include any person who has been delegated powers and duties by the Integrity Commissioner in accordance with subsection 223.3(3) of the Municipal Act, 2001;

- (e) the reference to a statute or regulation, except as may be otherwise provided, shall be deemed to include such statute or regulation as may be amended or re-enacted from time to time or its successor legislation, and, in each case, the regulations made from time to time pursuant thereto;
- (f) the reference to a by-law, resolution, policy or guideline made, enacted, established or adopted by the Town, including the Code, except as may be otherwise provided, shall be deemed to include such by-law, resolution, policy or guideline as may be amended or re-enacted from time to time or its successor by-law resolution policy or guideline made, enact, established or adopted from time to time; and
- (g) if a court of competent jurisdiction should declare any section or part of a section of this Code to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this Code and it is hereby declared that the remainder of this Code shall be valid and remain in force.



**Section:** Administration

**Policy#:** C2019-01

**Date Approved:** 02/05/2019

**Committee Policy and Procedures**

**Revision Date:** 02/08/2024

**Review Date:** 12/14/2023

**1. Scope**

This Committee Policy and Procedures applies to all Committees. Refer to Schedule "A" which contains a list of the Town's current Committees. This schedule may be amended at any time, without affecting this Policy.

**2. Purpose**

To ensure that all Committees are clearly established, dissolved and operating effectively.

**3. Establishment of Committees**

Committees are established by Council. The creation of a new Committee shall be developed by the relevant department in consultation with the Clerk and shall be supported by the following information:

- 3.1 Inventory of previous and existing activities related to the issue, including public consultation initiatives;
- 3.2 Statutory requirements if any; and
- 3.3 Draft terms of reference.

**4. Dissolving a Committee**

Dissolving a Committee may be initiated by any of the following:

- 4.1 Expiration of the Committee Term;
- 4.2 Completion of the Committee's task or mandate;
- 4.3 Effectiveness of the Committee's Operations (e.g. frequency of meetings, amount of Committee business, number of cancelled meetings);
- 4.4 Resolution of the issues that led to the creation of the Committee;
- 4.5 Legislation requiring the Committee no longer exists;
- 4.6 Merger with another Committee;
- 4.7 Changing Council priorities;
- 4.8 Recommendation by the Committee by resolution;
- 4.9 Report and recommendation by staff; and
- 4.10 Notice of motion made by a member of Council.

All Committees created by Council will be formally dissolved by a resolution of Council.

**5. Role of Committees**

While Municipal Councils are mandated through legislation to make the final decision on all matters that affect the Municipality, the role of a Committee is to provide recommendations, to the Municipal Council on those specialized matters which relate to the purpose of the Committee, and assist in enhancing the quality of life of the community while developing projects that are in keeping with the Municipal Council's Strategic Plan.

**Section:** Administration

**Policy#:** C2019-01

**Date Approved:** 02/05/2019

**Committee Policy and Procedures**

**Revision Date:** 02/08/2024

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Committees shall not give direction, nor shall they request, without the approval of Town Council, the preparation of any administrative reports, research or work assignments.

## **6. Meetings open to the Public**

Pursuant to Section 239 (1) of the *Municipal Act, 2001* all meetings shall be open to the public unless there is a reason of exception as provided in Section 239 (2) of the *Municipal Act, 2001*.

## **7. Meeting Procedures**

The following business procedures will apply to Committees:

- 7.1 A quorum (50% plus 1) of the membership must be present in order for a meeting to commence.
- 7.2 Any meetings scheduled outside of the regular scheduled meetings shall be established by resolution of the Committee and state the date, time, and location of the meeting and shall not conflict with any other Committee, or Town Council meeting.
- 7.3 The business of each meeting shall be taken up in the order in which it stands upon the agenda, unless otherwise decided by a majority of the Committee.
- 7.4 Items of business may be added or removed from the agenda under the "Approval of the Agenda" section by the majority vote of Committee members.
- 7.5 Decisions of the Committee shall be made only by resolution of the Committee.
- 7.6 If the Chair desires to leave the Chair for the purpose of taking part in debate or otherwise leaves the meeting, he/she shall call on the Vice-Chair to fill his/her place until he/she resumes the Chair.
- 7.7 Every member, prior to speaking to any motion, shall be recognized by the Chair and shall respectfully address the Chair.
- 7.8 When two or more members wish to speak, the Chair shall name the member who, in his/her opinion, first raised their hand.

## **8. Resignations and Appointments**

Committee members wishing to resign their appointment any time during the term shall submit their resignation in writing to the Clerk. When the resignation is accepted by the Clerk, the Clerk shall also consider the need to replace the Committee member, having regard to the remaining composition of the Committee, the current workload of the Committee and the length of time remaining in the Council term.

If the Clerk deems it advisable to replace the Committee member, then vacancies shall be publicly advertised. Once the posting is closed, applicants shall be required to complete and submit to the Town Clerk an application form available from the Clerk's Office or Town of Erin Website. If the applicant cannot complete the application form for reason of disability, special provision by the Clerk shall be made.

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After appointments are made by Council resolution, the Clerk shall forward a letter to the applicants informing them of Council's decision.

Individuals who are unsuccessful in being appointed to a Committee at the beginning of a Council term shall be notified by the Clerk of any vacancies that arise on the Committee to which they applied during that term, and be given an opportunity to re-apply for the vacancy.

### **9. Eligibility for Appointment**

A Councillor will be appointed by resolution of Council to each Committee. Staff shall not be appointed as voting members to Committees, nor shall any residents who are not of legal voting age in the Province of Ontario.

### **10. Term of Appointment**

A call for applications will be announced in December following the commencement of each term of Council. Applications will be reviewed in January followed by orientation for Committee members in the month of February. The term shall commence in the month of March. Appointments to Committees shall be for a one year commitment and shall be automatically renewed for a four year cycle that aligns with the term of Council. Mid-term appointments will only occur in the event of a resignation, or at the request of the Committee given the mandated maximum number has not been exceeded. The resignation and appointments process stated in this document will be followed.

### **11. Orientation Sessions**

Following the Committee appointment process at the beginning of each Council term, the Clerk's Office shall conduct an orientation session for new Committee members and shall provide basic parliamentary procedure training for Committees.

The Clerk's Office shall also conduct orientation sessions for new replacement members during the term. An orientation manual shall be provided to each member of the Committee which shall be signed off on. Committee members must also sign to agree to be bound by the Code of Conduct. The Orientation Manual will include the following material:

- 11.1 Committee Procedures
- 11.2 Committee Terms of Reference
- 11.3 Committee Code of Conduct
- 11.4 Agenda Template
- 11.5 Minute Template
- 11.6 Report Template
- 11.7 Descriptions of Roles

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## 12. Selection of the Chair

All Committee Chairs will be appointed by their respective Committee.

## 13. Staff Support

### 13.1 Meetings

Committee Meetings shall be attended by staff representatives if deemed necessary by staff of the appropriate departments to provide general liaison. In order to ensure efficient use of staff resources, particular staff shall not be required to attend a Committee meeting which does not have matters falling within that staff's purview on the agenda. The relevant Department Head shall determine the representative from his/her department who shall attend particular Committee meetings with approval from the CAO. Staff representatives shall not vote at the Committee meetings. The day-to-day support of Committees (such as the co-ordination of meeting schedules, the posting of Committee Agendas and the communication of Committee actions) shall be provided by the Clerk's Office. This does not include the production of minutes in any form.

## 14. Financial

### 14.1 Budget

The fiscal year of the Committee shall be the calendar year. Similar to external agencies, Committees shall submit as part of the annual budget process an annual work-plan and any requests for operating and capital budget allocations to the Director of Finance and Clerk or designate by September 30 of each year. The templates for the work-plan and budget request (operating and capital) can be found in Schedule B. Budget requests must relate to the Committee's mandate, be included in their annual work plan submission and be supported by project descriptions. Failure to comply will result in no funds being released to the Committee.

### 14.2 Expenditures by Committees

- 14.2.1 Any annual budget allocation to a Committee shall be at the sole discretion of the Council and subject to the Council's annual Budget deliberations, taking into consideration the requests of the Committee.
- 14.2.2 All expenditures by a Committee must relate to matters directly within its mandate.
- 14.2.3 Each Committee shall provide an annual report to the Council by January 31st of the following year detailing all expenses incurred against its annual budget allocation and in a format established by the Clerk.
- 14.2.4 All Committee expense information is considered to be public Information and shall be made available upon request to the Clerk.
- 14.2.5 Authorization for expenditures shall be as follows:
  - a) The Clerk, or his/her designate, shall have the authority to process all payments for standard items within the 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

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houses and workshops), costs associated with workshops and conferences attended by members of a Committee which are relevant to that Committee's mandate.

- b) Financial grants/contributions or awards to third party individuals, organizations or groups must be directed to the Director of Finance and Clerk or designate for review prior to being awarded.

Withdrawals from Committee Reserves require Council approval before being expended.

Capital funds not expended by year end may be carried over for the specific project for a maximum of two years.

#### 14.3 Fundraising

Fundraising shall not be permitted prior to Council approval. Any fundraising initiatives that are approved, shall only be approved on a project by project basis, with financial oversight by the Town's Finance Department.

#### 14.4 Member Remuneration

Members of Committees are volunteers and shall serve without remuneration.

#### 14.5 Grants

Committees may apply for grants provided a resolution of Council has been passed.

### 15. Media and Communications

All media contact shall be made through the Communications Officer in consultation with the Chair. Committee members are prohibited from making comments on behalf of the Town.

### 16. Agendas

Agendas shall be created with the Agenda Template provided by the Clerk's Office. All Committee Agendas shall be submitted to the Town Clerk five (5) days prior to any Committee Meeting. This ensures that adequate notice is given to the public. Any changes that need to be made to the agenda shall be made by amending the agenda to add or remove an item at the meeting. Any item of business that is not urgent, shall be added to the next meeting.

### 17. Minutes

After a Committee meeting has been held, approved minutes shall be submitted to the Clerk no later than seven (7) days following the meeting. Secretaries of the respective Committees are to use the minute template provided by the Clerk's Office, or they will not be accepted for Council adoption.

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## 18. Terms of Reference

The Terms of Reference for a Committee shall be approved by Council and amendments to the Terms of Reference shall only be made through Council approval. As this policy addresses a number of areas, Terms of Reference for Committees shall only address the following:

### 18.1 Mandate

This section will provide a description of the purpose of the Committee; including their responsibilities and any statutory requirements.

### 18.2 Goals and Objectives

A listing of the goals and objectives of the respective Committee to be amended by Council from time to time to align with Strategic Directives of the Town.

### 18.3 Guiding Principles

Identifies the basis that shall guide the work of the Committee.

### 18.4 Number of Members per Committee

This number will identify the number of members on the respective Committee.

### 18.5 Member Qualifications

This section will outline recommended qualifications of potential members given the mandate of the Committee. While qualifications are encouraged to ensure efficiency of the Committee, they are not mandatory; with the exception that all members must reside or be taxpayers in the Town of Erin unless otherwise approved by Council.

### 18.6 Frequency of Meetings

Committee meetings will be held a minimum of four (4) times per year and will be prescheduled by the Clerk's Office.

## 19. Resolutions of Committees

Resolutions of Committees will only be brought forward for Council consideration if they are Resolutions of Advice.

## 20. Discipline

### 20.1 3 Strike Rule

Members will receive written warnings for each contravention of these procedures or the Committee Code of Conduct. After 3 disciplinary warnings, Council will be informed in a closed session meeting of the individual and their contraventions. Council will then decide if the Committee member shall be suspended from Committee participation for one month or removed from the Committee.

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20.2 Code of Conduct

Committee members will at all times be subject to the Town's Code of Conduct.

**21. Attendance**

After three (3) consecutive absences, the following process shall be followed:

- 21.1 The Secretary shall informally contact the absent member to determine if they plan to attend the next regularly scheduled meeting, noting any reasonable or compassionate circumstances which would prohibit their attendance.
- 21.2 If no reasonable or compassionate response is given, the Secretary shall inform the absent member that if they are absent from the next regularly scheduled meeting (the 4th meeting), the Committee shall declare their seat vacant, and the Clerk will follow the appointment process as outlined in these procedures.
- 21.3 If the Secretary is unable to reach the absent member or if there is no reasonable or compassionate grounds for absences, the Secretary, during the preparation of the next meeting's agenda shall include the item Absent Member.
- 21.4 When the Committee gets to that item during the meeting, they shall go into Closed Session (ensure no members of the public are present at this time - they can come back into the room after being notified that the item of business is complete).
- 21.5 When in Closed Session, the Secretary shall briefly identify the requirements of the procedures and name the absent member.
- 21.6 The Committee shall report out of the Closed Session (state in public session) that they recommend to the Clerk that a seat be declared vacant.
- 21.7 If removed, the Clerk shall initiate the Committee Appointment process as appropriate.

**22. Chair**

The role of the Chair is as follows:

- 22.1 Ensure the meeting agenda and relevant documents are circulated to the members of the Committee;
- 22.2 Officiate and conduct meetings;
- 22.3 Provide leadership and ensure Committee members are aware of their obligations and that the Committee complies with applicable policies, procedures, by-laws, Code of Conduct and responsibilities;
- 22.4 Ensure there is sufficient time during the meeting to fully discuss agenda items;
- 22.5 Ensure that discussion on agenda items is on topic, productive and professional;
- 22.6 Ensure minutes are complete and accurate, retained, included and reviewed at the next meeting;
- 22.7 Chair in-camera meetings as required;

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22.8 Administer warnings.

### **23. Co-Chair**

23.1 Carries out all responsibilities of the Chair in his or her absence.

### **24. Secretary**

The role of the Secretary is to provide secretary services to Committees of Council. Prior to meetings, the Secretary is responsible for:

- 24.1 Preparing Committee Agendas, including relevant referral resolutions of Council, material etc.;
- 24.2 Electronically distribute agendas to all Committee members, the Town Clerk and appropriate Council representative before a regularly scheduled meeting;
- 24.3 Set up meeting room taking into consideration public attendance, presenters etc.;
- 24.4 Arrange for attendance of invited guests at meetings in conjunction with the Chair of the Committee.

#### **24.5 During Meetings**

- 24.5.1 Attend Committee Meetings;
- 24.5.2 Record when the meeting begins and adjourns;
- 24.5.3 Record the members present and absent;
- 24.5.4 Determine if quorum is present;
- 24.5.5 Take minutes; recording a summary of the discussion for each item, actions to be taken and recommendations, including the names of movers and seconders of motions;
- 24.5.6 Review and correct any errors in the minutes of previous meetings.

#### **24.6 After Meetings**

- 24.6.1 Finalize minutes for distribution;
- 24.6.2 Electronically distribute Committee Minutes to all members and Town Clerk;
- 24.6.3 Liaise with the Town Clerk in instances where there are questions of procedure or other administrative processes;
- 24.6.4 Maintain Committee minutes, item numbers, reports of the Chair, unfinished business and correspondence; and
- 24.6.5 Ensure correspondence, and Council resolutions are followed up by the Committee in a timely manner.



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## ***Schedule A***

### **25. List of Council Approved Committees, effective February 2024:**

- 25.1 Environment and Sustainability Advisory Committee (ESAC)
- 25.2 Erin Economic Development Committee (EEDC)
- 25.3 Hillsburgh Community Committee (HCC)
- 25.4 Parks, Recreation and Trails Advisory Committee (PRTAC)
- 25.5 Town of Erin Heritage Committee (TEHC)



**Schedule B**

**Workplan**

<b>Committee:</b>	
<b>Budget Year:</b>	

**Summary Description of Mandate:**


**Annual Workplan**

<b>Description of Initiative</b>	<b>Associated Strategy or Plan</b>

\_\_\_\_\_  
Name                                      Position Title                                      Signature                                      Date

\_\_\_\_\_  
Name                                      Position Title                                      Signature                                      Date

