



# GOVERNANCE BY COUNCIL

**POLICIES AND PROCEDURES**

**Council By-Law 24-10 April 2024**

# INTRODUCTION

While this manual is available in one, master, hard copy, it is intended to be used by computer with the Microsoft Word program running the electronic data.

Three folders exist to contain:

- The comprehensive manual
- The appendices to the manual, and
- The forms referenced in the manual.

Sections and subjects can be accessed in the comprehensive manual by

- Clicking on the headings in the table of contents, and by
- Clicking on the Q “search the document” function at the top right-hand corner of the monitor / screen and entering the word you are seeking.

To return to the beginning of the Manual, click on Q “search the document” and enter “table of contents.”

Appendices and forms that are referenced in the manual will be hyper-linked to the appendix file contained in the “APPENDIX” or “FORMS” folder.

Each policy is constructed as follows:

Policy Statement

Describing what is expected to occur.

Procedures

Describing, in mandatory, non-negotiable and sequential steps (activities), how the policy is carried out – usually with a reference to who is responsible for that particular step.

Guidelines (if needed)

Providing additional information to assist with the execution of a procedure.

Policy 1, “Development of Governance Policies” section of the Manual describes how the manual is updated.

The municipality maintains three Policy and Procedures manuals:

1. Governance Manual for all the P & P describing the operation of the Council and its Committees.
2. Administration Manual for all the P & P describing how the municipality administers itself as an organization.
3. Operations Manual for all the P & P describing how the municipality delivers its services to the residents of Mattawa.

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## POLICY 1 DEVELOPMENT OF GOVERNANCE POLICIES

*(Date of approval, 202\_)*

Council will develop, maintain and amend its governance policies as supplemented by their procedures and guidelines in a standard format and process that ensures the documents are current, clear and accessible.

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### PROCEDURES

#### 1.1 GOVERNANCE POLICIES AND PROCEDURE MANUAL

The Clerk will ensure that Council's governance policies and procedures are contained in one manual that is:

- Secured as one official e-file and one hard copy that are to be altered by the Clerk only
- Shared with Members of Council, its committees and the CAO
- Posted on the Mattawa website

#### 1.2 DEVELOPMENT AND REVISIONS

Any member of Council, the CAO or the Clerk may, as needed, draft new or revised policies, procedures, appendices or forms. Once drafted, the author will file a Notice of Motion (procedure 3.8) to submit the draft to Town Council to:

- Review the motion
- Approve or deny the motion with or without revisions, and
- Consider having changes scrutinised by legal counsel to confirm compliance with existing legislation.

The Clerk will:

- Ensure the new text fits the manual's format
- Advise Council on relevant issues, and
- If the motion is passed, ensure:
  - The change date is minuted
  - Note the date of implementation in the affected policy or procedure
  - The Governance Policy and Procedures Manual is updated

#### 1.3 REVIEWS

The Clerk will ensure the manual is comprehensively reviewed near the end of a Council's term of office to ensure it:

- Contains the latest revisions
- Reflects the Council's current practices, and
- Undergoes the same process of approval described in procedure 1.2

#### 1.4 IMPLEMENTATION

Upon approval, the CAO will, where appropriate, email Mattawa's relevant senior staff to inform them of changes affecting municipal operations.

#### 1.5 NEW COUNCIL

Prior to the inaugural Meeting, the Clerk will:

- Provide a complete, current, electronic and hard copy of Council's policies and procedures to the Council Members and
- Schedule an orientation meeting for the new Council to review said policies and procedures.

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## GUIDELINES

Council will ensure the wording of its governance policies and procedures are clear and readily understood.

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## PROCEDURES

The following definitions apply in the context of Council's governance policies and procedures. They are not intended to define the everyday meaning of the English language.

### 2.1 ALPHA LISTING

The terms are listed alphabetically as follows.

#### **B**

##### Board

A Municipal Services Board is established in permanence by Council pursuant to the authority delegated by Section 196 of the *Municipal Act, 2001*.

##### By-Law

A by-law is a law passed by a municipality's Council that is based on statutory authority, delegated to the municipality by the Province of Ontario. It binds not only the Council, but also the officers and servants of the municipality and the public.

#### **C**

##### Chair

The person selected to conduct a meeting to ensure the rules and procedures are observed.

##### Chief Administrative Officer (CAO)

The person appointed by by-law as the Chief Administrative Officer of the Corporation of the Town of Mattawa whose duties are described by a Job Description to reflect the requirements of the *Municipal Act, 2001*.

##### Chief Executive Officer (CEO)

The Mayor in accordance with the *Municipal Act, 2001*.

##### Clerk

The person fulfilling the duties as described in a job description to reflect the requirements of the *Municipal Act 2001*, for the Corporation of the Town of Mattawa;

##### Closed Session

A meeting or portion thereof, which is closed to the public pursuant to Section 239 of the *Municipal Act, 2001*.

##### Code

Code of Conduct as it applies to members of Council pursuant to Section 223.2 of the *Municipal Act, 2001*



## Committees

A group of persons appointed by Council to assist Council with the conduct of its ongoing business as specified by their terms of reference. For example:

A “Standing Committee” performs a continuing function on a permanent basis until Council alters its mandate or the Council’s term of office ends.

An “Ad Hoc Committee” performs a specific function on a time-limited basis,

A “Committee of the Whole”, working with set dates, consists of all Members of Council to address specific issues of interest to Council.

A “Statutory Committee” is established by Council pursuant to a specific enabling statute such as a Committee of Adjustment under the *Planning Act*, a Municipal Election Compliance Audit Committee under the *Municipal Elections Act*, and any other body to serve in an arms-length capacity for or with Council.

A Board or task force

## Complaint

An alleged contravention of Council’s Code of Conduct (See policy 5)

## Complainant

A person who has filed a complaint in accordance with Council’s Code of Conduct

## Confidential Information

Information in the possession of the municipality that is prohibited from disclosure under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) or other legislation such as:

- Information that is disclosed in confidence prior to, during or after a Council’s In Camera meeting
- Personal information
- Advice that is subject to solicitor-client privilege or information that concerns litigation or potential litigation, including matters before administrative tribunals, affecting the municipality
- Confidential matters pertaining to personnel, labour relations, or items under negotiation
- 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
- Sources of complaints where the identity of the complainant is given in confidence;
- Information circulated to Members and marked “confidential”, or
- Any information determined by Council to be confidential

## Council

The elected Municipal Council of the Corporation of the Town of Mattawa.

## **D**

### **Delegation**

A person or group of persons who are recognised by Council or a Committee to make a presentation on an item included in a meeting's agenda.

### **Deputy Mayor**

A Council Member appointed (procedure 3.2.2) by Resolution who acts in the absence of the Mayor.

### **Discrimination**

Any behavior by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, disability, marital status, or family status, and any other grounds pursuant to the Ontario Human Rights Code;

## **E**

### **Electronic Means**

"Electronic Means" means telephone, video or audio conferencing or other interactive method whereby Members, Staff and the Public are able to hear the Member(s) participating by electronic means and the Member(s) participating by electronic means is able to hear other Members, Staff and the Public.

### **Electronic Meeting**

"Electronic Meeting" means a Meeting where any Member is not physically present but participates via electronic means of communication. The Member participating electronically can vote and constitute quorum.

### **Ex Officio**

A person holding a particular position or office, as defined by the description of the position or office, who is entitled to certain duties or privileges without additional authorization.

### **Emergency**

A situation or the threat of an impending situation abnormally affecting the property and/or health, safety, welfare and well-being of the citizens of the municipality or the municipal government, which by its nature and magnitude is distinct from the routine daily operations of the municipality and requires a controlled and coordinated response.

### **Employees**

See "Staff"

## **F**

### **Family**

A group of persons related by birth, marriage or adoption.

## **G**

### **Gift**

Cash, fees, admission fees, advances, vouchers, invitations, objects of value, services, offers, personal benefits, travel and accommodation or entertainment that are provided to a Member, that could be seen to be connected directly to the

performance of the Member's duties;

#### Guideline

A statement to complement a procedure's meaning with an explanation, additional information or discretionary options for the execution of the procedure.

#### H

##### Harassment

Involves a Member engaging in a course of behaviour, comment or conduct inside or outside the work environment, that is:

- Or ought reasonably be known to be unwelcome, or
- Discriminatory, or
- Reasonably perceived by the recipient as an intention to bully, embarrass, intimidate or ridicule the recipient.

#### I

Integrity Commissioner (see procedure 5.13)

A person appointed by Council pursuant to Section 223.2 of the Municipal Act, 2001;

#### L

##### Local Board

A board established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities that does not include the following:

A society as defined in subsection 2(1) of the Child and Family Services Act, 2017;

A board of health as defined in subsection (1) of the Health Protection and Promotion Act;

A Committee of management established under the Long-Term Care Homes Act, 2007;

A police service board established under the Police Services Act, 2018;

A Public Library Board pursuant to C.P. 44, the Public Libraries Act, 1990

A corporation established in accordance with Section 203 of the Municipal Act, 2001.

#### M

##### Majority

More than half of the votes cast by Members present and eligible to vote.

##### Meeting

Any regular, special or other legally-constituted meeting of a Council, of a local board or of a committee where:

- a) a quorum of Members is present, and
- b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

##### Member

A person who has been elected to Council or a person who has been appointed by Council to a committee or board with the authority to approve decisions that are

inherent with the legal status of the Council or that are delegated to the committee or board.

#### Motion

An agenda item to be considered by Council or a Committee which is moved, seconded, presented, read by the Chair/or Clerk and may be subject to debate.

#### Municipal Act

Means the *Municipal Act, 2001, S.O. 2001, c.25*, as amended or replaced.

#### Municipality

The Corporation of the Town of Mattawa.

#### Municipal Property

Includes but is not limited to, all personal equipment, facilities, vehicles, equipment, supplies, services, staff, documents, intellectual property, computer programs or technological innovations belonging to the municipality.

#### **O**

##### Officer

A person such as the Chief Administrative Officer, Clerk, Treasurer, Chief Building Official and Fire Chief who holds a position of responsibility with definite rights and duties prescribed by statute or By-Law.

##### Organization Chart

A visual presentation of the Council's structure and relationships with its committees, Boards and employees.

#### **P**

##### Point of information

A request for information by a Member on a specific motion, either about process or about the content of the motion.

##### Point of Order

A question raised by a Member who thinks that the rules or customary procedures of Council have been incorrectly applied or overlooked during a meeting's proceedings.

##### Policy

A general statement by Council indicating what is to occur.

##### Procedure

A detailed description that is a binding, non-discretionary directive of how various components of a policy are to be carried out.

#### **R**

##### Reconsider

A motion to reconsider a decision can be made by a Member in the same or other meeting.

##### Recorded Vote

All votes are recorded with reference to each voter.

## **S**

### Staff

Persons who are:

- Paid a salary by the municipality on a permanent or temporary, full-time or part-time basis
- With or without a contract, or
- Unpaid as volunteers

### Strategic Plan

A flexible multi-year plan that includes

- A statement of vision and mission
- Community engagement
- An analysis of the town's current state
- Setting goals
- followed by plans of action

## **T**

### Two-thirds Majority

The affirmative vote of two-thirds (2/3) of the Members present and eligible to vote.

### Tracking System

A recording system that monitors progress on decisions made by Council or a committee

## **U**

### Urgent

For the purpose of calling an Emergency Meeting, a matter that is time-sensitive, and if not brought up immediately, could result in or cause:

- a) Danger to life, health or safety of individuals;
- b) Damage to property;
- c) An interruption of the essential services provided by the municipality;
- d) Loss of revenue by the municipality; and/or
- e) Prejudice to the municipality.

## **V**

### Vice Chair

The person selected for the duration of a Council's term as "Deputy Mayor" or a committee's term to replace the Chair when that person cannot preside.

### Vote

A Member's expression of agreement or disagreement with a resolution put to Council or a committee. All votes are recorded in reference to each voter. Abstentions or non-votes are recorded as against a motion.

## **W**

### Workplace

Any place where a person is working on behalf of the Town of Mattawa.

## POLICY 3 Council Meetings

(October 9, 2023)

Council and its committees / boards will conduct their meetings in a predictable and standard manner that provides for the effective governance of the Mattawa municipality and reflects the Council's compliance with the laws of Ontario. Unless otherwise determined by Council, all meetings are open to the public.

### PROCEDURES

#### 3.1 AGENDAS

##### 3.1.1 PREPARATION

The Clerk shall draft the forthcoming agendas for all Council and Committee meetings for the endorsement of the Chair and approval by Council or Committee by:

1. Emailing all Members of Council and Committees one week preceding a next meeting to request agenda items:
  - a. To be returned two days later by 12:00 noon and
  - b. In the required format (Appendix 3.1.2)
2. Ensuring correspondence and petitions received from the public and meriting attention are, at the Clerk's discretion, included in the same or subsequent agenda
3. Including any staff reports related to an agenda item
4. Listing every by-law on the agenda by identifying number, followed by a brief description of the intent of the by-law and a copy of the proposed by-law.
  - a. New by-laws of an urgent nature, requiring an immediate decision may be considered.
5. Sharing the current draft agenda with the Chair prior to said meeting
6. Distributing the draft agenda and supporting documents by email to the membership by that Thursday, 4:00pm
7. Accepting, at the Clerk's discretion, a notice received of new business from a Member or a delegation after Wednesday, 12:00 noon to:
  - a. Include the item on the agenda as an addendum for
  - b. A motion to address the new business or delegation at said meeting
8. Recording the Chair's acknowledgement of a written notice of motion received during a meeting and
  - a. Including the motion on the agenda for a subsequent meeting.

##### 3.1.2 FORMATS

As reflected in [Appendix 3.1.2 agenda formats](#), the Clerk shall ensure draft agendas are proposed in a standard format for the following:

- Council Meetings:
  - Regular
  - Committee of the Whole
  - Special
- Standing Committees Meetings
- Closed Meetings

The Clerk shall draft flexible agendas for Ad Hoc Committee meetings pursuant to their Terms of Reference.

##### 3.1.3 ADOPTION

As the agenda is being considered for adoption, the membership may approve a motion by a majority vote to:

- Adopt the agenda, or
- Alter the order of business at said meeting, or
- Accept an addition to the agenda, or
- Delete an item, or
- Defer and item.

The Chair may not exclude any matter from a distributed agenda or rule any item out of order until that item is placed before the Council or Committee.

#### 3.1.4 DEFERRAL

The membership shall determine by resolution its action on agenda items not addressed during a meeting. (Procedure 3.10.1)

### 3.2 CONVENING MEETINGS

#### 3.2.1 OCCURRENCE OF MEETINGS

The time and place listed below can be altered by a 2/3 majority vote of Members attending provided that:

- Adequate notice of the change is posted on the municipal website, and
- The location is within the boundaries of the municipality.

All meetings shall occur at the Dr. S. F. Monestime Municipal Council Chambers.

Prior to the commencement of the first Regular Meeting following a new Council's Inauguration, the Clerk, in consultation with the Head of Council, shall:

- Establish for Council and Committee meetings, the seating arrangement for Members during the term of that Council, and
- Designate the seating arrangement for the media, municipal staff and the public at Council meetings

Any person who contravenes the established seating arrangement shall be subject to censure by the Chair pursuant to Procedure 3.10.1

#### 3.2.2 MEETING DATES

The following meetings will be re-scheduled to the business day following a statutory holiday.

##### Inaugural Meeting

On the first Monday following the confirmation of official results of a municipal election the Clerk will:

- Administer the:
  - declarations of office
  - oaths of allegiance, and
  - the Code of Conduct for all Members

The Head of Council will deliver the Inaugural speech, and  
The meeting will conduct no other business.

##### Regular Meetings of Council:

- 6:00pm on the second & fourth Monday of each month except for:
  - Only on the second Monday of the month of July, August and December

### Special Meetings

1. The Head of Council may, at any time, summon an open or closed Special Meeting for a specified purpose by:
  - Ensuring the Clerk provides a notice of the Meeting to Members a minimum of twenty-four (24) hours before the meeting.
2. Upon receiving a petition by majority of Council, the Clerk shall summon an open or closed Special Meeting for the purpose set out in the petition by providing a Notice of the Meeting to Members a minimum of twenty-four (24) hours before the Meeting.
3. No business other than that specified in the notice shall be addressed.

### Committee of the Whole

Shall meet at 6:00pm on the third Monday of each month, excluding July, August and December.

### Standing Committees

Shall meet on the first Monday of each month.

### AD HOC Committees

Pursuant to their Terms of Reference at any time that is not in conflict with a meeting of Council or its Committees.

### 3.2.3 NOTICE OF MEETINGS

The Clerk shall, as required, email notice of each meeting to:

- All Council Members
- All Committee Members
- The Chief Administrative Officer, and
- Managers and senior staff of the Town of Mattawa

AND

- For open meetings, post the Notice on the municipal:
  - Website
  - Facebook, and
  - Mattawa App.

The notice shall:

- State the time, date and place of the meeting,
- Provide:
  - An agenda, and
  - Needed documents that have not been previously available to those being notified
- Not provide an agenda or documents for a closed meeting.

For special meetings, the Head of Council will identify additional persons for the Clerk who will:

1. Email notice as above, and
2. If necessary, attempt notice by telephone or personal service.

Failure of any person to receive notice of a meeting shall not affect the legitimacy of the meeting or its outcomes.



### 3.2.4 NON-ATTENDANCE

Any Member of Council or committee of Council shall, if possible, notify the Clerk of non-attendance by email through [info@mattawa.ca](mailto:info@mattawa.ca), 24 hours before a scheduled meeting.

### 3.2.5 CANCELLATION OF MEETINGS

The Chair or Clerk will:

1. Cancel a meeting of Council or a Committee when:
  - a. A lack of quorum is confirmed
  - b. An emergency or disaster supersedes the need for a meeting
  - c. There is no business to be addressed and
2. Notify the Members accordingly.

## 3.3 QUORUM

### 3.3.1 MINIMUM

The quorum required to commence and continue a meeting of Council or a committee shall be more than 50% of its members.

Procedure 3.11 applies if quorum is not maintained.

### 3.3.2 Conflict of Interest

When a member declaring a conflict-of-interest (Procedure 5.3) results in less than the number constituting a quorum, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two.

Guideline 3.3.2

## 3.4 ELECTRONIC PARTICIPATION

When in-vivo participation is not feasible, Members of Council or a committee shall use electronic conferencing (IE: Microsoft Teams, GoToMeetings, Zoom etc.):

- Preferably with a visual connection or as a lesser alternative ...
  - With an audio connection and
- They shall
  - If possible, notify the clerk 24 hours prior to the meeting, and
  - Connect to the meeting 15 minutes prior to the meeting.

AND

Members shall limit their use of electronic participation to 12 meetings per calendar year.

Members participating electronically during meetings shall:

- Count as quorum
- Have the right to vote pursuant to Procedure 3.5.1
- Unless approved otherwise by the Chair, remain online for the entirety of the meeting to maintain quorum and merit full remuneration.

When matters are to be addressed in a closed meeting, Members shall:

- Attend the meeting in-vivo if notified prior to a meeting, or
- If participating electronically:
  - Disconnect themselves from the meeting
  - Remain, at their discretion, in the online waiting room to wait for re-connection at the end of the closed session
- Merit remuneration for the duration of the entire meeting.

The Clerk will ensure microphones are muted for public participants unless

- They are recognised by the Chair

The Chair and the Clerk will conduct the meetings as otherwise normally, pursuant to procedures 3.5 “decisions by council or committee” and 3.6 “minutes”.

### 3.5 DECISIONS

#### 3.5.1 REPORTS TO COUNCIL OR COMMITTEE

When a report from a delegation or employees is itemised on an agenda, the Chair shall:

1. Introduce the report to Members
2. Invite the presenter to speak to the report
3. Invite comments or questions from the Members
4. Accept the report as tabled and included in the minutes, and
5. Proceed as required by procedures 3.5.2 and 3.5.4

A By-law presented to Council shall:

- Be introduced by a motion specifying the title of the by-law
- Introduce the subject matter in the form of a typed report with recommendation and all agreements and schedules
  - Given the nature of the subject and at the discretion of the CAO and/or Clerk the report may be introduced verbally,
- There shall be no incomplete draft by-law except as may be required to conform to accepted procedures or to comply with provisions of any Act
- Be given first, second and third reading in a single consolidated motion unless provincial legislation requires individual readings.

In the event a majority of Council wishes to further review a proposed by-law or additional public comment is desired, the approval shall be deferred to a subsequent meeting by a motion.

Any proposed by-law may be referred to the CAO, Clerk, a Committee or the Solicitor for review and comment.

Every by-law enacted by Council shall be:

- Numbered and dated
- Sealed with the seal of the Corporation
- Signed by the Mayor and Clerk
- Maintained by the Clerk in a secure location
- Posted on the Mattawa Website

#### 3.5.2 VOTING

Council approves all By-Laws by majority vote

All votes are open unless cast during In Camera meetings

All voters are recorded pursuant to their votes.

The Chair shall be the last to cast a vote

The Chair shall call for a vote:

- With a simultaneous show of hands, or firstly by the voice of a Member participating by phone, and

- Any Member, may request the vote to be recorded by the Clerk who shall request the vote of each Member, starting with the Member who requested the recorded vote.

### 3.5.3 VICE CHAIR

The Deputy Mayor shall replace the Head of Council and a Vice Chair shall replace a committee Chair as needed.

If the Head of Council and Deputy Mayor or Committee Chair and Vice Chair are absent at the commencement of a meeting:

1. The Clerk shall call the meeting to order and
2. The Members present shall appoint one of their own as temporary Chair
3. Upon arrival during the meeting the formal Chair will automatically replace the temporary Chair to assume their duties.

### 3.5.4 DUTIES OF CHAIR

The Chair shall

- Preside over the conduct of the meeting to preserve good order and decorum
- Rule on:
  - Points of order
  - Questions of privilege
  - Points of information and
  - All questions relating to the meeting's process
- Ensure the Clerk enters all decisions requiring action in Council's Tracking System ([3.5.4](#))

Pursuant to a meeting's agenda the Chair of a meeting shall address the motions reflected therein by:

- Opening discussion on an information item by directing the Member and seconder filing the motion to speak to its content,

or

- Calling for a vote on a motion not requiring debate by:
  1. Directing the Member filing the motion to speak to its content
  2. Calling for a vote and ensuring:
    - 1) The motion at hand is clearly stated
    - 2) All discussion on the motion is terminated
    - 3) The Chair:
      - a. First calls the other Members to vote to be registered and follows with the Chair's vote
      - b. Ensures all Members present register a vote, or
      - c. Registers a non-vote as against the motion, and
      - d. Announces the results of the vote

or

- Opening the meeting to debate on a motion requiring a debate by
  1. Ceding the Chair to an alternate Member for the duration and closure of a debate if
    - a. The Chair chooses to participate in the debate or
    - b. The Chair leaves the Council chamber when in conflict of interest (procedure 5.3)
  2. Speaking to the matter as Chair before the start of the debate

3. Directing the Member or delegate filing the motion to speak to its content
4. Directing the seconder to the motion to speak
5. Recognising each Member wishing to speak to the motion
6. Soliciting a reply from the mover of a main motion
7. Confirming, any changes to the motion
8. Closing the debate with comments, and
9. Calling for a vote and ensuring:
  - A. The motion at hand is clearly stated
  - B. All discussion on the motion is terminated
  - C. The Chair:
    - 1) First calls the other Members to vote to be registered and follows with the Chair's vote
    - 2) Ensures all Members present register a vote, or
    - 3) Registers a non-vote as against the motion, and
    - 4) Announces the results of the vote

### 3.5.5 APPEAL ON RULING

Should a Member appeal a ruling by the Chair:

1. The Member shall table a motion to appeal and explain the reason for the appeal
2. The Chair shall:
  - a. Reject the appeal with reasons, or
  - b. Call for a recorded vote without debate and
    - i. Accept or reject the appeal as determined by the vote

### 3.5.6 RECONSIDERATION

Once a motion has been carried, or lost, a Member who voted with the prevailing side may move for reconsideration either during the same meeting or at a subsequent meeting.

If such a motion is seconded, the Chair shall open a debate on the motion to reconsider and the debate will be resolved by

- A simple majority vote if addressed during the same meeting, or by
- A 2/3 majority vote if addressed during a subsequent meeting.

## 3.6 MINUTES

Pursuant to their approved agendas, the Clerk shall record:

- The start and end times of meetings, and
- The proceedings in a standard format for Council and Committee meetings, per [Appendix 3.6 example minutes](#)
- Each Member's vote when a vote has been called
- The decision on the Tracking System – (App. [3.5.4](#))
- A written notice of motion received during a meeting once declared as read by the Chair.

The Clerk shall ensure the minutes of closed meetings are secured to be adopted at the next scheduled, closed meeting

The Clerk shall record the attendance of the membership as follows:

- For adjournments - Members present at the expiration of the fifteen (15) minute time limit

- Temporary absence during a meeting - Member with time of departure and return
- Late arrivals – Member and time of arrival
- Early departure – Member and time of departure
- Electronic arrival - Member and time of arrival – with notification to the Chair
- Early departure from electronic presence – Member and time of departure with notification to the Chair
- A Council Member visiting a committee as a non-member of that committee as a, “visiting Council Member”.

The Clerk shall ensure live recordings of meetings are:

- Posted on the Town of Mattawa YouTube channel, or
- When possible, live streamed on the channel, with
  - Reference on the Town of Mattawa social media Pages.

### 3.7 CLOSED MEETINGS

Closed meetings are restricted to Members of Council or a Committee and they may include, by invitation, any persons who are deemed to be relevant to the subject at hand.

#### 3.7.1 REASONS

All or part of a Council, Committee or Board of Council meeting shall be closed to the public:

- If the subject matter being considered involves:
  - A. The security of the property of the municipality or local board;
  - B. Personal matters about an identifiable individual
  - C. A proposed or pending acquisition or disposition of land
  - D. Labour relations or employee negotiations;
  - E. Litigation or potential litigation,
  - F. Advice and information that is subject to solicitor-client privilege,
  - G. A matter respecting closed meetings under another Act;
  - H. Information explicitly supplied in confidence by Canada, a province or territory or their Crown agency;
  - I. A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality
  - J. A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
  - K. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board
  - L. A request under the Municipal Freedom of Information and Protection of Privacy Act,
  - M. An ongoing investigation by the Ombudsman

Prior to commencing an In Camera meeting, the Chair shall ask the non-participants to retire to a location beyond the hearing of the meeting room.

#### 3.7.2 CONDITIONS

All or part of a Council, Committee or a Board of Council meeting may be closed to the public:

- If the following conditions are **both** satisfied:
  - The meeting is held for the purpose of educating or training the Members.
  - At the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, Board of Council or committee.
- To give direction to staff or consultants by consensus of Members present.

### 3.7.3 TRANSITION TO AND FROM

During a meeting of Council, a Committee or board of Council, a Member wishing to recess into an In Camera session on an agenda item being addressed by the Chair shall require a two-thirds vote on a motion to:

- Either defer a matter to the agenda of a closed session or
- Immediately recess to a closed session

Before all or part of a meeting is closed to the public, the Council or a Committee shall state by resolution the fact of the closed meeting and the general nature of the matter to be considered.

A meeting of Council, a Committee or board shall not be closed to the public during the taking of a vote unless:

- The Municipal Act requires a meeting to be closed to the public
- The vote is for:
  - A procedural matter, or
  - Giving directions or instructions to officers, employees, agents or persons retained by the municipality

### 3.7.4 CONDUCT

A Member may speak more than once during a closed meeting provided that all Members have spoken in turn.

The Chair shall not entertain a motion to adjourn during a closed meeting.

Upon completion of the closed session the Chair shall:

- Reconvene in public session, and
- Provide a verbal report to the public on the disposition of items discussed without revealing any confidential information, and
  - The Clerk shall note the outcome of said disposition.

AND

- No person participating in a closed meeting shall disclose the content of the matter or substance of the deliberations unless expressly authorized to do so by Council or committee or as required by law.

### 3.8 NOTICE OF MOTION

Pursuant to procedure 3.1.1, a Notice of Motion may be submitted to the Clerk by a Member

1. Before the Clerk's Agenda deadline to be included on the agenda under the item "Motions"
2. After the deadline, but prior to a meeting to be included on the agenda as an addendum requiring a 2/3 vote for inclusion on the meeting's agenda

3. During a meeting to be read by the Chair or declared as read, recorded by the Clerk and deferred to the agenda of a subsequent meeting.

The submission of a written notice of Motion does not require:

- A seconder at the time of submission, or
- The presence of the Motion's author during the meeting when the Motion is read.

Every motion included on a meeting's agenda with or without debate must be moved and seconded at said meeting and first addressed by the mover.

### 3.9 POINTS OF ORDER

A member who believes a rule is being contravened shall:

1. Call for recognition by the Chair on a "Point of Order", and then
2. Clearly explain what and how a rule is being contravened

The Chair, upon responding to a Point of Order shall:

1. Rule upon the alleged contravention to
2. Determine the rule is not contravened and
  - a. Resume the matter at hand, or
  - b. Accept the explanation and accordingly adjust the proceedings on the matter at hand
3. Call for a vote if the ruling is appealed (Procedure #3.5.5)
4. Confirm the results of the vote and
  - a. Resume the matter at hand, or
  - b. Adjust the proceedings by applying the rule as previously questioned

### 3.10 CONDUCT OF MEMBERS AND VISITORS

#### 3.10.1 MEMBERS, EMPLOYEES AND VISITORS

Members, Employees and visitors shall:

- Obey the procedural rules or the decisions of the Chair
- Respectfully acknowledge the Chair and address all remarks to the Chair
- Not:
  - Speak disruptively aloud during a meeting
  - Speak unless recognised by the Chair
  - Interrupt a Member while speaking except to raise a point of order.
  - Display signs or placards or engage in behaviour that may disrupt debate.
  - Disrupt a vote being taken and until the result is declared
  - Speak to the motion after a vote has been called and registered.
  - Speak disrespectfully to and of others
  - Be accompanied by a pet that is not registered as a support aid.

The Chair shall:

- Restrict questions and supplementary comments to items specific to an agenda item, motion or presentation
- Determine if the conduct of a Member, employee or visitor is improper and, if, so
  - Expulse the person from the meeting or exclude the person from future meetings, and
  - Adjourn the meeting without any motion if such person refuses to leave – until said person leaves.

### 3.10.2 MEMBERS

In addition to the above, Members shall not:

- Speak more than once on a matter or for more than 10 minutes unless:
  - Questioned by another Member
  - To offer an additional explanation
  - Granted leave by the membership
- Engage in private conversation while in the Council Chamber that interrupts the proceedings of Council;
- Speak on any subject other than the subject in debate
- Enter the meeting while a vote is being taken.
- Leave their seat while a vote is being taken and until the results are declared.
- Where a matter has been discussed in closed session, disclose the content of the matter or substance of deliberations, except as required by law.

#### Presentations

A member presenting to Council on behalf of a Council committee shall remain at the Member's Chair chair, but:

- A Member presenting on behalf of a delegation, shall take a position away from the Council table.

If a Member persists after having been called to order by the Chair, the Chair shall:

- Forthwith put the motion: "that such Member be ordered to leave his or her seat for the duration of the meeting of the Council".
- Entertain a vote without amendment, adjournment or debate or
- If the Member apologizes at any time, that Member may, by undebated and unanimous vote of Council, be permitted to retake the Member's seat.

### 3.11 ADJOURNMENT

A motion to adjourn a meeting by any Member shall be in order unless:

- Another Member is in possession of the floor.
- A vote has been called
- Votes are being recorded by the Clerk

The Chair shall adjourn a meeting when:

- A lack of quorum for a meeting is confirmed 15 minutes after the scheduled commencement time
- The Chair has called a recess for lack of quorum that lasted more than 15 minutes
- Quorum has been reduced below 2 Members when Members have been recused by declarations of Conflict of Interest
- A meeting is in session at the hour of 9:00pm
  - Unless a 2/3 majority vote supports a continuation
- A meeting is in session at the hour of 10:00pm
  - After which the Chair shall call a special meeting if needed within 24 hours
- A person ordered to leave a meeting does not leave.

### 3.12 DELEGATIONS

#### 3.12.1 EARLY RESOLUTION

The Chief Administrative Officer (CAO) or the Clerk shall:



- Determine if an attempt has been made to resolve an administrative or operational matter with the appropriate Department Head, or
- Refer the delegation to the same as needed

### 3.12.2 REQUEST

Provided that earlier attempts at resolution have failed and subject to the exception below, any person shall be allowed to ask the Clerk for a hearing by Council as a delegation as follows:

- Prior to 12:00 p.m. (Noon) on Wednesday of the week preceding the meeting of Council,
  - In writing, electronically or by hard copy as:
    - Printed, typewritten or legibly written;
    - Clearly setting out the matter at issue and the request being made of Council;
    - Indicating an electronic presentation or otherwise
    - Signed by the name of the writer; and
    - Containing the mailing address, street address, telephone number and email address (where possible) of the writer, and
  - In the case of a petition:
    - Signed by at least two (2) citizens resident in the municipality;
    - Setting out the civic address of each petitioner; and
    - Indicating the name of a spokesperson, his or her mailing address, street address, telephone number and email address (where possible).

Exception: Where a public hearing is held by a Committee pursuant to the Municipal Act, no person shall be permitted to appear otherwise before Council in respect of that matter.

The Clerk's decision on the request to add, deny or defer the matter to an agenda shall be final.

### 3.12.3 PRESENTATION BY DELEGATION

A delegation shall present its submission to Council or a Committee as follows:

- As indicated on the meeting's agenda
- Electronically, upon prior approved by the Clerk
- Within a 10-minute time frame unless extended or reduced by the Chair
- With the use of visual aids provided that arrangements have been made with the Clerk 1 day prior for the required equipment
- Without
  - speaking disrespectfully of any person;
  - using offensive language; and/or
  - speaking on any subject other than the one at hand
- By withdrawing from the delegation table upon the Chair calling the discussion as concluded.

The Clerk shall advise the meeting when there is one (1) minute remaining. After the presentation, the membership and Department Heads shall:

- As needed, ask questions of clarification from the delegation
- Address questions of Department Heads
- Not enter into debate with the delegation respecting the presentation

#### 3.12.4 LIMITATIONS

There shall be not more than four (4) delegations at any meeting.

The Chair shall:

- Curtail any discussion on the delegation's matter for misconduct
- Determine when the delegation is concluded.

A delegation, once heard, shall not be entitled to be heard either at Council or a Committee on substantially the same matter for a period of twelve (12) months from the date of its first hearing – unless:

Council's decision to deal with a matter is not concluded or substantive changes in the circumstances surrounding the matter have occurred.

#### 3.13 TRACKING SYSTEM

Pursuant to Appendix 3.5.4, the Clerk shall work with Council's tracking record by:

- Maintaining a record for each type of meeting on a quarterly basis
- Entering the required data during meetings
- Bringing action items forward for review as "old business" on future agendas
- Noting progress at each review date
- Adjusting review or completion dates as required
- Archiving the record at a quarter's end to start a new record for the forthcoming quarter, and
- Reviewing the records as needed for year-end or end-of-term reports.

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## GUIDELINE

### 3.3.2

*Municipal Conflict of Interest Act, [section 7](#) states:*

*7 (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).*

## POLICY 4                    STRUCTURE OF COUNCIL AND COMMITTEES

(October ,2023)

Council will ensure its structure as a governing body is clear and it will establish and manage its committees with their own distinctive terms of reference.

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### PROCEDURES

#### 4.1 CURRENT LIST

The Clerk shall maintain a current list (Appendix 4.1):

- Depicting the purpose of:
  - The committees and boards Council establishes to conduct its business
  - The committees and boards to which Members are assigned to represent Council
  - The associations to which Members officially belong as Members of Council
- By:
  - Amending Appendix 4.1 with all of the above at the onset of a new Council's term and
  - Updating the same as changes occur.

#### 4.2 TERMS OF REFERENCE

Council approves the existence and terms of reference for all its committees and boards. The terms of reference consist of brief statements describing the committee's or board's:

- Purpose
- Membership
  - Appointment process
  - List of members
- Responsibilities
- Operating procedures conforming to Council's policies and procedures
- Frequency of meetings
- Accountability
- Beginning and end dates

The Chair of each committee and board of Council shall ensure the appropriate terms of reference are approved by Council and updated as needed.

#### 4.3 ORGANIZATION CHART

The Clerk shall maintain:

- A current organization chart in [Appendix 4.3](#) that displays the Council's committees and boards, per section 4.1

## POLICY 5 CODE OF CONDUCT

(Date of approval, 202\_)

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Council's Code of Conduct outlines the expected and prohibited conduct of its Council, committees and boards.

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## PROCEDURES

### 5.1 ATTESTATION

Upon assuming office, a Member shall sign the "Declaration of Office" form ([Form 5.1](#))

### 5.2 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 family, friends or associates. (Guideline 5.2)

### 5.3 CONFLICT OF INTEREST

#### 5.3.1 ACTUAL OR PERCEIVED

A conflict of interest will occur when it actually, or appears to take place.

When a conflict of interest is perceived to occur, Members must address the matter as soon as is reasonably possible.

#### 5.3.2 DECLARATION

When a Member, present at a Council or Committee meeting, is or can be perceived to be in a conflict of interest in relation to a matter being addressed at said meeting, the Member shall orally declare the conflict of interest.

A member who declares or who is deemed to be in a conflict of interest shall:

- Leave the meeting place for the duration of discussion and decision on the matter at hand
- If the Chair, be replaced by Vice Chair for the duration

A Member who did not declare their conflict of interest during a meeting shall, within 48 hours file a Disclosure of Conflict of Interest Declaration [Form 5.3.2](#) with the Clerk who shall:

- Within 72 business hours of the declaration, include the Declaration of Interest Form in the Municipal Registry for publication on the Municipal Website, and
- Schedule the affected motion for reconsideration at the next available meeting

Refer to Guideline 5.3.2

#### 5.3.3 TYPES OF CONFLICT OF INTEREST

##### Financial Gain

A Member is in a conflict of Interest when the Member:

- Directly or indirectly influences a decision that will benefit a person who is not in an arms-length relationship
- Obtains personal financial gain from their position as a Member
- Refers a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.

## Gifts

No member shall accept a gift or personal benefit that is connected directly or indirectly with the performance of their duties.

## Nepotism

While the workforce in Mattawa is limited by various circumstances, municipal employees can be related to a person who is not in an arms-length. Nonetheless, Members shall not, directly or indirectly exercise their influence to benefit these persons:

- In the hiring of employees where the competitive selection of employees must be based on merit.
- In the supervision, recognition or discipline of employees when supervisors are acting on the authority of their position.

See guideline 5.3.3

## Business Relations

No Member shall act as a paid agent before Council, its committees, or an agency, board or commission of the municipality unless so permitted by the Municipal Conflict of Interest Act: <https://www.ontario.ca/laws/statute/90m50>

## 5.4 POSITION OF TRUST

Members shall, at all times and to the best of their ability, honour the position of trust they occupy as representatives of Mattawa electors by abiding by Council's Vision, Mission, Values and policies and procedures.

## 5.5 CONDUCTING COUNCIL BUSINESS

All Members shall abide by Council's Policies and Procedures

## 5.6 CONFIDENTIALITY

Unless required by law or authorized by Council, no Member shall:

- Disclose by any means to any member of the public, any confidential information acquired by virtue of their office
- Use confidential information for personal gain, or for the gain of relatives, any person or corporation, or
- Disclose the content of a matter, or the substance of deliberations during an in-camera meeting.

## 5.7 USE OF MUNICIPAL PROPERTY

No Member shall use, or permit the use of municipal land, facilities, equipment, supplies, services, staff or other resources for activities other than the business of the municipality.

## 5.8 POLITICAL ACTIVITY

Members shall not use municipal resources for any type of political activity including promoting or opposing the candidacy of any person to elected office in any municipal, provincial and federal campaign.

## 5.9 RESPECT

Members shall:

- Conduct themselves with decorum at meetings.
- Not harass, bully or discriminate against any other Member, any staff, or any member of the public.
- At all times demonstrate their respect for:
  - The residents of Mattawa
  - Their colleagues on Council, and
  - Employees by:
    - Not falsely or maliciously injuring the professional reputation of staff
    - Restricting their expression of a concern about personnel matters to the Mayor and/or CAO or with Council.

#### 5.10 OFFICIAL COMMUNICATION

Unless approved by the head of Council or a motion granted by a simple majority, the Head of Council is the only Member who is authorised to communicate officially on behalf of Council to the public, Ontario and other municipalities.

While the CAO is authorised to speak on behalf of the municipality on matters of services and operations, the CAO cannot speak on behalf of Council unless authorised to do so.

#### 5.11 DUE DILIGENCE

Members shall make every effort to participate diligently in the activities of Council, its agencies, committees and local boards to which they are appointed.

#### 5.12 ATTENDANCE

Attendance at Council meetings by electronic means is equivalent to in-person attendance. Members of Council shall not be absent from meetings of Council for three consecutive months without being authorised to do so by a resolution of Council.

#### 5.13 INTEGRITY COMMISSIONER

Council shall appoint an Integrity Commissioner to provide some or all of the following services:

- a) Education and training;
- b) Investigation of a complaint, including a decision not to investigate and a summary dismissal of a complaint;
- c) Investigation reports and recommendations, including periodic, interim or final reports and annual reports;
- d) Information to the public regarding the Code of Conduct and the obligations of Members under the Code of Conduct and other ethical guidelines or policies; and
- e) Proactive guidance upon request from Council or a Member.

Any person who files a complaint to the Integrity Commissioner shall submit a “Code of Conduct Complaint [Form 5.12](#) to the Integrity Commissioner.

## GUIDELINES

### 5.2

A person who is not in an arms-length relationship is not excluded from employment with the municipality as long as due process for the hiring and supervision of employees is based on merit and factors benefiting the municipality.

Code of Conduct posted on the Mattawa Website:

<https://mattawa.ca/wp-content/uploads/2019/03/Code-of-Conduct-Policy-for-Members-of-Council-and-Local-Boards.pdf>

### 5.3.2

If a Member does not declare a conflict of interest when it appears the Member should have so declared, the matter can be referred by anyone to the Integrity Commissioner for investigation.

### 5.3.3

Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50

<https://www.ontario.ca/laws/statute/90m50#BK2>

## POLICY 6 ACCOUNTABILITY

*(Date of approval, 202\_)*

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In the performance of their duties the Members of Council are accountable to the voters who elected them, to each other and to municipal employees.

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### PROCEDURES

#### 6.1 TO ELECTORS

Members are accountable to Mattawa's electors for:

- Following through on their campaign promises to the best of their ability
- Managing Mattawa's financial and human resources in a cost-effective manner
- Ensuring Mattawa's actions comply with the laws and regulations of Ontario and Canada.
- Ensuring their actions are transparent
- Being responsive to their ongoing concerns by diligently trying to address or resolve their concerns

#### 6.2 TO EACH OTHER

Members are accountable to each other for:

- Abiding by the Council's Policies and Procedures
- Following through on their commitments to Council

#### 6.3 TO MUNICIPAL EMPLOYEES

Members are accountable to Municipal employees for:

- Protecting their interests as much as is possible
- Abiding by Council's Policies and Procedures as they apply to employees
- Being transparent in their dealings with employees
- Accepting and acting upon employee complaints of abuse by discrimination, harassment or bullying by applying the provisions of Policy 8.



## POLICY 7 RIGHTS, ROLES AND RESPONSIBILITIES

(Date of approval, 202\_)

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Members and the Municipal employees who support Municipal operations are to work cooperatively with defined roles, rights and responsibilities.

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### PROCEDURES

#### 7.1 RIGHTS

Members have the right to be:

- Respected by virtue of their position
- Heard on matters before Council and its committees
- Counted as votes for the decisions of Council and its committees

Municipal employees who support municipal operations have the right to be:

- Respected by virtue of their position
- Heard on matters before Council and its committees

#### 7.2 COMPENSATION AND REMUNERATION

Members shall be reimbursed pursuant to a Council By-law, which, as at February, 2024, is reflected in [Appendix 7.2](#)

#### 7.3 MAYOR OR HEAD OF COUNCIL

The Head of Council shall:

- Preside over council meetings to conduct Council business efficiently and effectively
- Provide leadership to the Council
- Advise Council on its role
- Represent or delegate a Member to represent the Mattawa municipality at official functions
- As Chief Executive Officer:
  - Uphold and promote the purposes of the municipality;
  - Promote public involvement in the municipality's activities;
  - Promote the municipality locally, nationally and internationally; and
  - Participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.
- Carry out additional duties prescribed by legislation in effect in Ontario.

#### 7.4 DEPUTY MAYOR

The Deputy Mayor shall act in the place of the Head of Council when the Head of Council is unavailable.

#### 7.5 MEMBERS OF COUNCIL

Members of Council shall:

- Represent the public and consider the well-being and interests of the municipality;
- Evaluate the policies and programs of the municipality;

- Determine which services the municipality provides;
- Ensure that administrative and controllership policies, practices and procedures are in place to implement the decisions of council;
- Ensure the accountability and transparency of the operations of the municipality,
- Maintain the financial integrity of the municipality
- Ensure the municipal workplace operates without discrimination, harassment or bullying by applying Policy 8, and
- Carry out additional duties prescribed by legislation in effect in Ontario.

#### 7.6 CLERK and DEPUTY CLERK

##### The Clerk Shall

- Record, without note or comment, all resolutions, decisions and other proceedings of the council;
- If requested by any member present at a vote, record the name and vote of every member voting on any matter or question;
- Keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- Update the Council's governance policies and procedures as required
- Act as Head pursuant to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) – see guideline and
- Perform other duties:
  - As required under any legislation in effect in Ontario., and
  - As are assigned by the Council or CAO.

#### 7.7 CHIEF ADMINISTRATIVE OFFICER (CAO)

##### The CAO shall:

- Exercise general control and management of the affairs of the municipality to ensure it operates efficiently and effectively
- Perform such other duties as assigned by Council

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## GUIDELINES

7.6 Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56

<https://www.ontario.ca/laws/statute/90m56#BK1>

## POLICY 8 WORKPLACE HEALTH AND THE PREVENTION OF ABUSE

(Date of approval, 202\_)

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Council will ensure the municipal workplace operates with a healthy and safe environment that is also free of discrimination, harassment, bullying and violence.

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## PROCEDURE

### 8.1 DISTINCTION

Council establishes a distinction between:

- Health and safety issues as they pertain to the working conditions of the municipality's administration and operations and
- The treatment of discrimination, harassment and bullying with their issues of culpability

#### 8.1.1 ADMINISTRATIVE AND OPERATIONAL RESPONSIBILITIES

Council will ensure, by clear delegation to the CAO as "Employer", that the municipality operates in strict compliance with the requirements of the Occupational Health and Safety Act (Guideline 8.1.1) by:

- Crafting an appropriate Job Description and Performance Contract for the CAO that includes, among other factors, developing, maintaining and respecting the municipality's Occupational Health and Safety Policies and Procedures
- Reviewing the CAO's performance a minimum of every two years within a Council's term of office
- Maintaining a working familiarity with, and respecting the municipality's Occupational Health and Safety Policies and Procedures (Admin Proc. ## Pending)
- Accepting, investigating and acting upon complaints of abuse by employees who seek a resolution other than that offered by the CAO

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## GUIDELINE

### 8.1.1

The Occupational Health and Safety Act

<https://www.ontario.ca/laws/statute/90o01#BK47>

## POLICY 9 EVALUATIONS OF COUNCIL

*(Date of approval, 202\_)*

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Council will evaluate its operations and effectiveness as a governing body on an ongoing basis

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## PROCEDURES

### 9.1 DEVELOPMENT OF MEMBER COMPETENCIES

Within the first 3 months following a new Council's first meeting, the CAO will assist Council in establishing a competencies development plan for Members of Council by:

1. Identifying training opportunities that are available to municipal councils in Ontario (Guideline 9.1)
2. Proposing an agenda item for Council to develop a competencies plan for Members that:
  - Spans the Council's term of office
  - Fits within the town's financial limits, and
  - Is included in the Council's Strategic Plan

### 9.2 TRACKING COUNCIL'S DECISIONS

The Clerk shall, during the course of all Council meetings, schedule Council decisions for review by entering the data required of [Form 8.1.2](#).

### 9.3 ANNUAL EVALUATION

On an annual basis, the Corporate Services Committee ([Appendix 9.3](#)) shall evaluate Council's performance during the preceding 12 months, whereby the Committee will consider the following criteria – for eventual report to Council:

- Participation of Councillors
- Progress on decisions made
- Progress on existing plans
- The operation of Council's committees
- Council's outreach to Mattawa citizens
- Feedback from a survey of Municipal employees
  - As undertaken by the CAO to elicit feedback on the above criteria
- Other criteria as appropriate
- Submit its evaluation to Council for approval.

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## GUIDELINE

### 9.1

Members are elected to Council with a variety of competencies related to their duties as councillors. Experience dictates that seasoned Members have different training needs than new ones.

Training opportunities for municipal council members vary from year to year as they are provided by:

- The Province of Ontario
- The Association of Municipalities of Ontario (AMO)
- Private practitioners / Consultants

## POLICY 10 COUNCIL AND THE CAO

*(Date of approval, 202\_)*

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Council will work closely with its CAO who is the predominant link with the Municipal employees and in so doing Council will ensure the CAO is clearly held to account for its actions.

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## PROCEDURES

### 10.1 CAO PARAMETERS

In addition to Procedure 7.5, the authorities and duties delegated by Council to the CAO are specified by:

- The CAO's Job Description
- The CAO's performance contract, with
  - Executive Limitations imposed upon the CAO

At the beginning of a new Council's term of office, or upon the hiring of a new CAO, Council shall review:

- The CAO's Job Description
- The CAO's employment contract
- Negotiate changes to the above with the CAO.

The Head of Council shall sign and date the above documents on behalf of the municipality and ensure:

- The documents are signed by the CAO and
- All relevant documents are contained in confidence in the CAO's personnel file

### 10.2 CAO JOB DESCRIPTION

The [CAO Job Description](#) shall include:

- The mandatory and desirable qualifications for the position
- The purpose of the position
- Reporting structure, and
- Duties

### 10.3 EMPLOYMENT CONTRACT

The Head of Council shall ensure the CAO's Employment Contract:

- Is legally sound and satisfactory for all parties
- Describes the CAO's compensation, and
- Contains Executive Limitations that refer to:
  - General Executive Constraint
  - Staff Treatment
  - Assets Protection
  - Budgeting
  - Financial Management
  - Treatment of Mattawa Residents
  - Communication and advice to Council
  - Mattawa's Programs / Services
  - Compensation and Benefits for Employees

- Municipal Relations

#### 10.4 CAO RECRUITMENT

In keeping with Hiring Policy #1 of the Administration Manual and upon a vacancy of the CAO position becoming evident, Council shall:

- a. Update the CAOs job description if necessary
- b. Draft a recruitment advert reflecting the Job Description
- c. Search out potential leads with executive recruitment firms
- d. Screen applications for the position
- e. Draft interview questions
- f. Meet with candidates
- g. Select a candidate for the position
- h. Provide the successful candidate with a letter of offer containing a draft Employment Contract, and
- i. Finalize the CAO's employment contract

#### 10.5 PERFORMANCE MANAGEMENT OF CAO

One year following the inception of a new Council and annually thereafter, the Corporate Services Committee shall evaluate the CAO's performance by:

- a. Reviewing the CAO's Job Description and Employment Contract
- b. Formulating criteria to determine quality of performance
- c. Advising the CAO of the Criteria
- d. Meeting with the CAO to discuss his achievements pursuant to the above criteria
- e. Consulting with 3 employees picked by the CAO and 3 employees picked by the Committee
- f. Documenting the findings of the Committee
- g. Reporting same to Council for further action that will consist of some, but not be limited to:
  - Seeking legal advice if necessary
  - Acknowledging the CAO's successful performance
  - Granting a raise or performance bonus pursuant to the Employment Contract in effect
  - Recognizing areas of improvement with or without a warning against performance deficiencies
  - A notice of dismissal.

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## GUIDELINE

### 10.3

Developing an Employment Contract for the CAO considers, among other options, documents and advice of the Canadian Association of Municipal Administrators

<https://www.camacam.ca/about/camas-toolkits/cao-employment-contract-toolkit>

Executive Limitations are stated in negative terms whereby the party to an Employment Contract understands that certain activities or actions are prohibited.

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## POLICY 11 COMMUNICATIONS

*(Date of approval, 202\_)*

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The Head of Council will ensure that communications with its members, municipal employees and the residents of Mattawa are clear and timely.

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### PROCEDURES

#### 11.1 INTERNAL COMMUNICATIONS

Emails between members pertaining to Council or Committee business must be shared with all members of Council or their Committee.

The Clerk will respect the notification requirements described in Policy 3.

#### 11.2 VOICE OF THE MUNICIPALITY

The Head of Council, or person delegated by the Head of Council is the only person who is authorised to speak on behalf of the municipality.

#### 11.3 SOCIAL MEDIA

Members shall respect the municipality's Administrative policy (Policy #\_\_) on social media.

##### 11.3.2 INFORMATION PLATFORMS

In order to operate transparently and to inform Mattawa residents of pending events, the municipality maintains and updates information platforms available to the public.

The CAO shall ensure:

- The continued operation and maintenance of the platforms
- The appropriate employees are assigned to post information on the platforms, who shall ensure the information at these platforms:
  - Is current and accurate, and
  - Respects the laws in effect in Ontario

#### 11.4 CONFIDENTIAL INFORMATION

While they are subject to a request for information under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) the following information is privileged:

- In Camera Meetings, re: the deliberations and information leading up to motions of public record.
- Communications between Council Members that occur out of official meetings.

The Clerk may seek the advice of legal counsel on an MFIPPA request related to Council business.

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### GUIDELINE

11.2 Refer to the Municipal Freedom of Information and Protection of Privacy Act.





## POLICY 12 LEGISLATIVE COMPLIANCE

(Date of approval, 202\_)

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Council will ensure it and Municipal employees comply with the laws and regulations in effect in the Province of Ontario

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### Procedures

#### 12.1 APPLICABLE LEGISLATION

Council and the Town of Mattawa operate on a daily basis under the requirements of the following legislation:

##### Ontario

Municipal Act, RSO 2001

<https://www.ontario.ca/laws/statute/01m25>

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990

<https://www.ontario.ca/laws/statute/90m56#BK1>

Freedom of Information and Protection of Privacy Act

<https://www.ontario.ca/laws/statute/90f31>

Municipal Conflict of Interest Act RSO 1990

<https://www.ontario.ca/laws/statute/90m50>

Employment Standards Act RSO 2023

<https://www.ontario.ca/laws/statute/00e41>

Occupational Health and Safety Act RSO 1990

<https://www.ontario.ca/laws/statute/90o01>

Workplace Safety & Insurance Act RSO 1997

<https://www.ontario.ca/laws/statute/97w16>

Ontario Labour Relations Act RSO 1995

<https://www.ontario.ca/laws/statute/95l01>

Pay Equity Act RSO 1990

<https://www.ontario.ca/laws/statute/90p07>

##### Canada

Criminal Code of Canada SC 1985

<https://laws-lois.justice.gc.ca/eng/acts/c-46/>

Canadian Human Rights Act SC 1984

<https://laws-lois.justice.gc.ca/eng/acts/h-6/>

Employment Insurance Act SC 1996

<https://laws-lois.justice.gc.ca/eng/acts/e-5.6/>

Pay Equity Act SC 2018

<https://laws-lois.justice.gc.ca/eng/acts/p-4.2/page-1.html>

#### 12.2 NON EXCLUSIVITY

The above list is not exclusive since:

- Circumstances can dictate the application of other legislation
  - Regulations crafted under the auspices of the above legislation are in effect while their temporary nature applies, and
  - Court rulings can establish precedence in matters pertaining to the Interpretation of existing legislation
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## POLICY 13 PLANNING

*(Date of approval, 202\_)*

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Council will conduct its business with the assistance of dynamic, long- and short-term plans that are nimble to sudden and unforeseen events affecting Municipal operations and services.

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### PROCEDURES

#### 13.1 TYPES OF PLANS

Council will work with different planning approaches during its 4-year tenure:

##### Strategic Plan

Developed at the onset of a new Council's tenure and designed to capture all of the goals to be addressed during the Council's term in office.

The Head of Council will, along with the Corporate Services Committee, ensure this Plan is established within the first 6 months of the new Council's tenure.

##### Operational Plan

Based upon the larger parameters of the Strategic Plan, the Operational Plan outlines the goals for the forthcoming calendar year.

The CAO will ensure this Plan is established within the first month of the Strategic Plan's approval by Council and coincidentally with the annual budget's approval thereafter.

##### Work Plans

Work Plans are designed to address the activities required to achieve the goals or objectives contained in a year's Operational Plan.

The CAO will create the Work Plan by soliciting Councillors as leads for goals where appropriate and assigning employees as needed in order to finalize said Work Plan.

##### Budgets

This fiscal plan runs parallel to the year's Operational Plan to ensure the financial resources are allocated to and recorded for the various components of the Operational Plan.

Within that office's responsibilities for financial management, the CAO ensures a budget is:

- Approved by Council, and
- Supportive of the year's Operational Plan

#### 13.2 LEADERSHIP

Leadership that needs to be identified for each plan:

- Strategic Plan – Head of Council
- Operational Plan – CAO

- Work Plan – Overseen by the CAO who is working with the persons leading activities for the Work Plan’s goals.

### 13.3 PLANNING PROCESS

Members of Council will make every reasonable effort to work with the above plans by:

1. Setting target dates beforehand for Council’s approval of the intended plan
2. Consulting with as many participants as is reasonably possible
3. Reviewing documents pertinent to the plan
4. Incorporating the goals and objectives of other Municipal plans (Guideline 13.3)
5. Drafting, discussing, editing and approving the final Plan
6. Scheduling regular reviews of the Plans by Council
7. Adjusting the Plans in response to events that were previously unforeseen or misunderstood
8. Approving a final report at the expiration of the Plan’s term.

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## GUIDELINES

### 13.3

Various planning activities such as, but not limited to Mattawa’s Asset Management Plan and its Economic Development Plan, should be included to ensure:

- Reasonable goals have been set
- Council’s and the town’s resources are used collaboratively
- Council’s ability to respond to unexpected events
- Sustained efforts are continued to follow through on the plans

Collaboration is required at all stages of a plan’s development and execution. While the plans belong to Council, employees are also involved in the planning process.