



**AGENDA / ORDRE DU JOUR**  
**COMBINED COUNCIL MEETING / RÉUNION COMBINÉE DU CONSEIL**

Wednesday, March 7, 2017 at 6pm / mercredi le 7 mars 2017 à 18h  
Council Chambers / Salle du conseil

---

1. **Call to Order and Roll Call / Ouverture de la réunion et présence**
2. **Adoption of Agenda / Adoption de l'ordre du jour (*and Additions if applicable*)**
3. **Disclosure of Pecuniary Interest / Déclarations d'intérêts pécuniaires**
4. **Delegations / Délégations (NIL)**
5. **Resolution to resolve into Committee**

**COMMITTEE OF THE WHOLE / COMITÉ PLÉNIER**

6. **Reports and Items for Consideration / Rapports et sujets pour considération**
  - 6.1 **General Government / Gouvernement général**
    - 6.1.1 Report - Follow up from the Pet Save presentation relating to the reported stray and overpopulation of cats in our area **p.3**
    - 6.1.2 Report - Municipal Election Recount Policy **p.5**
    - 6.1.3 Report - Sign By-law Amendments **p.14**
    - 6.1.4 Report - Procedure By-law Amendments **p.19**
  - 6.2 **Finance / Finances (NIL)**
  - 6.3 **Public Works & Environment Services / Travaux public et services de l'environnement (NIL)**
  - 6.4 **Community Services / Services communautaires (NIL)**
  - 6.5 **Emergency Services and Public Safety / Services d'urgence et sécurité publique (NIL)**
  - 6.6 **Development & Planning / Développement et planification (NIL)**
  - 6.7 **Correspondence / Correspondance**
    - 6.7.1 VAA Senior Friendly Trail Committee **p.37**  
Request for support and partnership with a grant applications for the development of the Senior Friendly Trail Project

**REGULAR MEETING / RÉUNION RÉGULIÈRE**

7. **Verbal Motion to return into the Regular Meeting / Motion verbale pour retourner en réunion régulière**
8. **Consideration of the adoption of recommendations from Committee of the Whole / Résolutions pour adopter les procédures du Conseil en comité**

**9. Consent Agenda / Ordre du jour regroupé**

**9.1 Adoption of Minutes / Procès-verbaux adoptés**

**9.1.1** Regular Council Meeting held February 21, 2017 **p.38**

**9.2 Receipt of Minutes / Procès-verbaux reçus (NIL)**

**9.3 Items for Consideration or Information / Items pour consideration ou information**

**9.3.1** Monthly Disbursements Report / Rapport mensuel des déboursements (January 2018)

**9.4 By-laws / Règlements**

**9.4.1** 2018-14 2018 Budget By-law **p.43**

**9.4.2** 2018-15 Northern Ontario Internship Program Agreement with the Northern Ontario **p.46**  
Heritage Fund Corporation (NOHFC) - position of Public Works Youth Intern

**10. Notices of Motion / Avis de motion**

**11. Announcement and Inquiries / Annonce et questions**

**12. Closed Session / Session à huis clos (NIL)**

**13. Adjournment / Ajournement**

Resolution to adopt Confirmation By-law / Résolution pour adopter le règlement de confirmation

Resolution to adjourn / Résolution d'ajournement



# Municipality of French River

## Report of the Administration Department For Consideration by Council

**RE: Information regarding responsible pet ownership for stray cats in the community.**

**OBJECTIVE:** To conduct further research with Pet Save on how to mitigate the issues in the community with regards to the stray cat population, and inform on responsible pet ownership.

### **BACKGROUND:**

Council was informed by delegation from Jill Pessot from Pet Save in Sudbury about the cat population in our community and the potential issues facing the community in the future, as well as options available to towns to help mitigate the issue.

### **ANALYSIS:**

Pet Save's mission is to rescue abandoned, abused and neglected dogs and cats throughout Northern Ontario to ensure that every pet receives "A New Leash on Life". The association is committed to helping the homeless animals and educating people on proper animal care so they may reshape the next generation of pet owners.

Jill Pessot presented the Pet Save Association, and informed Council that our area currently has a problem with an overpopulation of stray cats. Pet Save has been called in for a large number of rescues in our area in the past.

In the presentation Pet Save noted that they would be ready to work with the Municipality to identify the need and discussing potential initiatives/programs for a humane animal control of cats in our area. Jill Pessot also mentioned that the program could take 6 months to a year to establish and would entail bringing cats into the Municipal Animal Control By-law, a mandatory spray/neuter, licencing and education about animal care and how funds would be used to be sustainable.

### **BUDGET/LEGAL IMPLICATIONS:**

None at this time

### **INTERDEPARTMENTAL IMPACTS:**

None at this time

**LINKS TO STRATEGIC PLANS:**

None

**CONCLUSION/RECOMMENDATIONS:**

It is recommended that Council direct Staff to contact and work with Pet Save for further information and to identify the need and discussing potential initiatives/programs for a humane animal control of cats in our area. Any information and or recommendations will be brought to Council for consideration and future steps.

**ATTACHMENTS:**

None.

Respectfully submitted:

Approved:

Carlie Zwiers  
Executive Assistant  
Administration  
Date: March 2, 2018

Marc Gagnon  
Chief Administrative Officer



# Municipality of French River

Report CL-02-2018  
of the Clerk's Department  
For Consideration by Council

## RE: Municipal Election Recount Policy

**OBJECTIVE:** To present the Municipal Election Recount Policy for Council's adoption.

### **BACKGROUND:**

In previous elections, a recount could only be conducted under the following circumstances:

1. where the counting of ballots resulted in a tie vote;
2. by resolution of Council (for Council offices), of local board (for offices on a local board), by order of the Minister (for questions submitted by the Minister); or
3. by order of the Superior Court of Justice.

The Municipal Elections Modernization Act amended the Municipal Elections Act to provide the Clerk with the authority to adopt a policy by May 1<sup>st</sup> of the election year. This will define circumstances under which an automatic recount would be conducted other than those listed above.

The Clerk now has the authority to hold an automatic recount in accordance with the recount policy as adopted by Council.

### **ANALYSIS:**

Council may pass a by-law to adopt a policy to create a guideline that will determine the completion of an automatic recount for elected positions in accordance with the *Municipal Elections Act*.

The attached recount policy was established for Council's review. The policy directs the Clerk to hold a recount where the number of votes separating candidates from winning an office is a variance of 10 votes or less, or 1% of voters casting ballots for the office, whichever is the lesser.

The following four (4) tables illustrate examples of calculations where a recount would be held:

#### **Example 1:**

Candidate A	1146 votes casted
Candidate B	393 votes casted
Candidate C	1020 votes casted
<b>Votes Casted</b>	<b>2559</b>
1% of 2559 votes casted	25.59 (26)

- Difference between Candidate A & C votes is 126.
- 1% of total votes cast is 26.
- **No Recount - difference in votes is over 10 and not less than 1% of the votes cast.**

**Example 2:** (Actual votes taken from 2010 Municipal Election)

Candidate A	95 votes casted
Candidate B	148 votes casted
Candidate C	131 votes casted
<b>Votes Casted</b>	<b>374</b>
1% of 374 votes casted	3.74 (4)

- Difference between Candidate B & C is 17.
- 1% of total votes cast is 4.
- **No Recount - difference in votes is over 10 and not less than 1% of the votes cast.**

**Example 3:**

Candidate A	444 votes casted
Candidate B	436 votes casted
<b>Votes Casted</b>	<b>880</b>
1% of 880 votes casted	8.8 (9)

- Difference between Candidate A & B is 8.
- 1% of total votes cast is 9.
- Recount - difference in votes is less than 10 and less than 1% of the votes cast.

**Example 4:**

Candidate A	1146 votes casted
Candidate B	393 votes casted
Candidate C	1129 votes casted
<b>Votes Casted</b>	<b>2668</b>
1% of 2668 votes casted	26.68 (27)

- Difference between Candidate A & C is 17.
- 1% of total votes cast is 27.
- Recount - difference in votes is over the 10 votes but less than the 1% of the total votes cast.

\*It should be noted that the above calculations were tested on actual results of past French River elections and it was determined that had this policy been in force during those elections, that there would have been no automatic recounts.

**BUDGET/LEGAL IMPLICATIONS:**

There is no financial impact of establishing this policy, however, should a recount be required, the cost would be paid by the Municipality.

**INTERDEPARTMENTAL IMPACTS:**

Not applicable.

**LINKS TO STRATEGIC PLANS:**

Not applicable.

**CONCLUSION/RECOMMENDATIONS:**

As analysis was completed, it is staff's opinion that the threshold of 10 or 1%, whichever the lesser, would be an appropriate circumstance in which to conduct a recount given the size of the municipality and historical results. The policy maintains consistency with the principles of the Municipal Elections Act and provides Council with an arms-length framework that addresses close vote situations, while avoiding the perception of bias, and may deter application to the court.

An established policy would further provide a simple and clear solution that would identify to both candidates and voters the circumstances where a recount will automatically be completed, adding to the integrity of the election.

Therefore, it is recommended that the Municipal Election Recount Policy be adopted at the Council Meeting being held March 21, 2018.

**ATTACHMENTS:**

Schedule 'A' - Municipal Election Recount Policy

Respectfully submitted:

Approved:

Mélanie Bouffard  
Clerk

Date: February 16, 2018

Marc Gagnon  
Chief Administrative Officer

Section: <b>Administration &amp; Governance</b>	Policy number: <b>A-12</b>
Subject: <b>Municipal Election Recount Policy</b>	Effective Date:
	Revision Date:
Page: <b>1 of 1</b>	

## **Municipal Election Recount Policy**

### **Purpose:**

The purpose of the policy is to create a guideline that will determine the completion of an automatic recount for elected positions in accordance with the *Municipal Elections Act*.

### **Authority:**

*Municipal Elections Act*, 1996, S.O. 1996 C.32

A recount under sections 56, 57, or 58 of the Act shall be conducted in the same manner as the original count as per s.60 (1) unless ordered otherwise by a judge under s.60 (3).

A recount is required when:

1. there is a tie vote where both or all candidates cannot be declared elected (Automatic);
2. by resolution of Council (for Council offices);
3. by resolution of local board (for offices on a local board);
4. by order of the Minister (for questions submitted by the Minister); or
5. by order of the Superior Court of Justice.

Under section 56 (3), the *Act* now provides that a Municipality may, by by-law, adopt a policy with respect to the circumstances in which the municipality requires the Clerk to hold an automatic recount of the votes cast in an election other than those already set out in the Act.

### **Policy:**

An automatic recount shall be conducted if the number of votes separating candidates from winning an office is a variance of one of the following:

1. ten (10) votes or less; or
2. 1% of voters who have casted their votes for the office, whichever is the lesser amount.

This Policy applies to the Offices of the Mayor and Councillors.

### **Recount Procedures:**

The Clerk shall hold a recount of the votes for the candidate(s) / position(s) in question and shall establish procedure that outlines the process and timeframes to hold a recount required by this policy and shall ensure that the procedures comply with all requirements established by legislation.

### **Appendixes**

Appendix 'A' - Municipal Elections Act, 1996, s. 56 to 64



**Municipal Elections Act, 1996**  
S.O. 1996, CHAPTER 32

RECOUNTS

**Recount, tied vote**

**56** (1) The clerk shall hold a recount,

- (a) of the votes for two or more candidates who receive the same number of votes and cannot both or all be declared elected to the office;
- (b) of the votes on a by-law, if the votes for the affirmative and negative are equal;
- (c) of the votes for two or more answers to a question, if the votes are equal. 1996, c. 32, Sched., s. 56 (1).

**Recount in accordance with policies**

(1.1) The clerk shall hold a recount in accordance with any policy passed by the municipality or local board under subsection (3) or (4). 2016, c. 15, s. 40 (1).

**Time for recount**

(2) The recount shall be held within 15 days after the clerk's declaration of the results of the election. 1996, c. 32, Sched., s. 56 (2); 2002, c. 17, Sched. D, s. 20.

**Municipality, policy**

(3) A municipality may, by by-law, adopt a policy with respect to the circumstances in which the municipality requires the clerk to hold a recount of the votes cast in an election. 2016, c. 15, s. 40 (2).

**Local board, policy**

(4) A local board may, by resolution, adopt a policy with respect to the circumstances in which the local board requires a recount of the votes cast in an election. 2016, c. 15, s. 40 (2).

**Same**

(5) A by-law or resolution adopted under subsection (3) or (4),

- (a) applies to a regular election if it is passed on or before May 1 in the year of the election; and
- (b) applies to a by-election if it is passed more than 60 days before voting day. 2016, c. 15, s. 40 (2).

**Section Amendments with date in force (d/m/y)**

2002, c. 17, Sched. D, s. 20 - 01/01/2003

2016, c. 15, s. 40 (1, 2) - 09/06/2016

**Recount for municipality, local board or Minister**

**57** (1) Within 30 days after the clerk's declaration of the results,

- (a) the council of a municipality may pass a resolution requiring a recount of the votes cast,
  - (i) for all or specified candidates for an office on the council,
  - (ii) for all or specified answers to a question submitted by the council,
  - (iii) for and against a by-law submitted by the council;
- (b) a local board may pass a resolution requiring a recount of the votes cast,
  - (i) for all or specified candidates for an office on the local board, or
  - (ii) for all or specified answers to a question submitted by the local board;
- (c) the Minister may make an order requiring a recount of the votes cast for all or specified answers to a question submitted by him or her. 1996, c. 32, Sched., s. 57 (1).

**Recount**

(2) The clerk shall hold a recount in accordance with the resolution or order, within 15 days after it is passed or made. 1996, c. 32, Sched., s. 57 (2); 2002, c. 17, Sched. D, s. 21.

**Section Amendments with date in force (d/m/y)**

2002, c. 17, Sched. D, s. 21 - 01/01/2003

**Application for order for recount**

**58** (1) A person who is entitled to vote in an election and has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order that the clerk hold a recount. 1996, c. 32, Sched., s. 58 (1); 2002, c. 17, Sched. D, s. 22 (1).

**Time for application**

(2) The application shall be commenced within 30 days after the clerk's declaration of the results of the election. 1996, c. 32, Sched., s. 58 (2).

**Order, notice**

(3) If satisfied that there are sufficient grounds for it, the court shall make an order requiring the clerk to hold a recount of the votes cast for all or specified candidates, on a by-law, or for all or specified answers to a question, and shall give the clerk a copy of the order as soon as possible. 1996, c. 32, Sched., s. 58 (3).

**Time for recount**

(4) The recount shall be held within 15 days after the day the clerk receives a copy of the order. 1996, c. 32, Sched., s. 58 (4); 2002, c. 17, Sched. D, s. 22 (2).

**Procedures**

(5) The Minister may by regulation establish procedures for applications under this section. 1996, c. 32, Sched., s. 58 (5).

**Problems re voting and vote-counting equipment**

(6) A request for a recount due to problems related to voting and vote-counting equipment may be made only under this section. 1996, c. 32, Sched., s. 58 (6).

**Section Amendments with date in force (d/m/y)**

2002, c. 17, Sched. D, s. 22 (1, 2) - 01/01/2003

**Inclusion of related recount**

**59** The clerk may conduct, as part of a recount under section 56, 57 or 58 that relates to an office, a recount of the votes cast for another candidate for that office. 1996, c. 32, Sched., s. 59.

**Manner of doing recount**

**60** (1) A recount under section 56, 57 or 58 shall be conducted in the same manner as the original count, whether manually or by vote-counting equipment. 2016, c. 15, s. 41 (1).

**Prescribed rules**

(2) A recount shall be conducted in accordance with the prescribed rules, subject to subsection (3). 1996, c. 32, Sched., s. 60 (2).

**Order specifying different manner of doing recount**

(3) Despite subsection (1), if the judge who orders a recount under section 58 is of the opinion that the manner in which the original count was conducted caused or contributed to the doubtful result, he or she may, in the order, provide that the recount shall be held in a different manner and specify the manner. 1996, c. 32, Sched., s. 60 (3); 2016, c. 15, s. 41 (2).

**Exception for ranked ballot election**

(4) Subsection (3) does not apply with respect to a ranked ballot election. 2016, c. 15, s. 41 (3).

**Section Amendments with date in force (d/m/y)**

2016, c. 15, s. 41 (1-3) - 09/06/2016

**Who may be present at recount, election to office**

**61** (1) The following persons may be present at a recount under section 56, 57 or 58 that relates to an office:

1. The clerk and any other election official appointed for the recount.
2. Every certified candidate for the office.

3. The applicant, in the case of a recount ordered under section 58.
4. For each person referred to in paragraphs 2 and 3,
  - i. a lawyer, and
  - ii. one scrutineer for each recount station established by the clerk. 1996, c. 32, Sched., s. 61 (1).

#### **Same, by-law or question**

- (2) The following persons may be present at a recount that relates to a by-law or question:
  1. The clerk and any other election official appointed for the recount.
  2. The scrutineers appointed by the municipality or local board or by the Minister, as the case may be.
  3. The applicant, in the case of a recount ordered under section 58.
  4. For the applicant referred to in paragraph 3,
    - i. a lawyer, and
    - ii. one scrutineer for each recount station established by the clerk. 1996, c. 32, Sched., s. 61 (2).

#### **Number of scrutineers re by-law**

- (3) If the vote is on a by-law and scrutineers are to be appointed under subsection 16 (2),
  - (a) equal numbers of scrutineers shall be appointed to represent supporters and opponents of the by-law; and
  - (b) one scrutineer representing supporters and one representing opponents may be present for each recount station established by the clerk. 1996, c. 32, Sched., s. 61 (3).

#### **Number of scrutineers re question**

- (4) If the vote is on a question and scrutineers are to be appointed under subsections 16 (2) and (3),
  - (a) equal numbers of scrutineers shall be appointed for each possible answer to the question; and
  - (b) one scrutineer for each of the possible answers may be present for each recount station established by the clerk. 1996, c. 32, Sched., s. 61 (4).

#### **Examination of ballot**

- (5) A person referred to in paragraph 2, 3 or 4 of subsection (1) or (2) is entitled,
  - (a) to examine each ballot as the votes are being counted by the clerk (but not to touch the ballot); and
  - (b) to dispute the validity of a ballot or the counting of votes in a ballot. 1996, c. 32, Sched., s. 61 (5).

#### **Determination of disputes**

- (6) The clerk shall determine a dispute referred to in clause (5) (b). 1996, c. 32, Sched., s. 61 (6).

#### **Other persons**

- (7) Any other person may also be present at the recount with the clerk's permission. 1996, c. 32, Sched., s. 61 (7).

#### **Duty of clerk**

- 62** (1) When the recount is complete, the clerk shall,
  - (a) announce the result of the recount; and
  - (b) if there are disputed ballots,
    - (i) announce the number of them,
    - (ii) announce the result that would be obtained if the disputed ballots were excluded, and
    - (iii) write the number of the voting place on the back of and initial each disputed ballot, place them in a separate envelope clearly marked so as to indicate its contents, and seal the envelope. 1996, c. 32, Sched., s. 62 (1).

#### **Who may be present**

- (2) Any persons described in subsections 61 (1), (2) and (7) who are at the recount are entitled to be present while the clerk acts under subsection (1). 1996, c. 32, Sched., s. 62 (2).

**Tied vote**

(3) If the recount indicates that two or more candidates who cannot both or all be declared elected to an office have received the same number of votes, the clerk shall choose the successful candidate or candidates by lot. 1996, c. 32, Sched., s. 62 (3).

**Declaration by clerk**

(4) If no application has been made for a judicial recount under section 63 the clerk shall, on the 16th day after the recount is completed, declare the successful candidate or candidates elected or declare the result of the vote with respect to a by-law or question, as the case may be. 1996, c. 32, Sched., s. 62 (4).

**Application for judicial recount**

**63** (1) A person described in subsection (2) who disputes the validity of a ballot or of the counting of votes in a ballot may, within 15 days after the clerk announces the result under section 62, apply to the Superior Court of Justice for a recount limited to the disputed ballots. 1996, c. 32, Sched., s. 63 (1); 2002, c. 17, Sched. D, s. 23 (1).

**Who may apply**

(2) Subsection (1) applies to a certified candidate, an applicant under section 58 or, in the case of a by-law or question, the municipality or local board or the Minister, as the case may be. 1996, c. 32, Sched., s. 63 (2).

**Notice of application**

(3) Notice of the application shall be served on the clerk and, if the application concerns an office, on each certified candidate. 1996, c. 32, Sched., s. 63 (3).

**Summary procedure**

(4) The application shall be dealt with in a summary manner, without application records or factums; the recount itself forms part of the hearing of the application. 1996, c. 32, Sched., s. 63 (4).

**Clerk to attend and provide materials**

- (5) The clerk shall attend the recount and provide the court with,
- (a) a certified copy of the result of the recount conducted by the clerk;
  - (b) a certified copy of the result of the recount conducted by the clerk excluding the disputed ballots;
  - (c) the sealed envelope containing the disputed ballots from the recount conducted by the clerk; and
  - (d) any other documents relating to the election that are relevant to the application. 1996, c. 32, Sched., s. 63 (5).

**Duty of court**

- (6) The court shall conduct the recount by,
- (a) determining the validity of the disputed ballots or of the counting of votes in any disputed ballots; and
  - (b) recalculating the result of the election using the determinations made under clause (a) and the certified results referred to in clause (5) (b). 1996, c. 32, Sched., s. 63 (6).

**Who may be present**

(7) Any persons who were present at the recount under section 56, 57 or 58 are entitled to be present at the hearing and recount under this section. 1996, c. 32, Sched., s. 63 (7).

**Order**

- (8) When the recount is complete the court shall,
- (a) make an order incorporating its decisions under subsection (6);
  - (b) announce to the persons present,
    - (i) the result of the recount, and
    - (ii) how the court dealt with the disputed ballots;
  - (c) place the disputed ballots in the original envelope and reseal it; and
  - (d) return to the clerk the material provided under subsection (5). 1996, c. 32, Sched., s. 63 (8).

**Copy of order**

(9) The court shall give a certified copy of the order to the clerk. 1996, c. 32, Sched., s. 63 (9).

**Tied vote**

(10) If the recount indicates that two or more candidates who cannot both or all be declared elected to an office have received the same number of votes, the clerk shall choose the successful candidate or candidates by lot. 1996, c. 32, Sched., s. 63 (10).

**Declaration**

(11) After receiving the order, the clerk shall declare the successful candidate or candidates to be elected or declare the result of the vote with respect to a by-law or question, as the case may be. 1996, c. 32, Sched., s. 63 (11).

**No appeal**

(12) Despite section 6 of the *Courts of Justice Act*, an order under this section cannot be appealed. 2002, c. 17, Sched. D, s. 23 (2).

**Section Amendments with date in force (d/m/y)**

2002, c. 17, Sched. D, s. 23 (1, 2) - 01/01/2003

**Right to sit pending final disposition**

**64** (1) A candidate who has been declared elected under section 55 is entitled to sit and vote on the council or local board until the recount and all applications under this Act have been finally disposed of and a different candidate has been declared elected. 1996, c. 32, Sched., s. 64 (1).

**Decisions unaffected**

(2) Decisions of a council or local board in which a candidate described in subsection (1) has participated are unaffected even if another candidate is afterwards declared elected as the result of a recount. 1996, c. 32, Sched., s. 64 (2).



# Municipality of French River

Report CL-03-2018  
of the Clerk's Department  
For Consideration by Council

## RE: Signs By-law Amendments

**OBJECTIVE:** To present proposed amendments to the Signs By-law.

### **BACKGROUND:**

The Municipality of French River passed a Signs By-law in 2015 to regulate the placement of signs and other advertising devices within its jurisdiction.

The Municipal Elections Modernization Act introduced changes to the Municipal Elections Act which in turn provides for required amendments to our Signs By-law.

In addition to those changes, during the last election, it was determined that the current Signs By-law was too restrictive in relation to Municipal Elections as well as the voting method used by the Municipality, specifically to when it allowed any elections signs to be erected. The current by-law provides for a very short window of campaigning before the Vote by Mail kits are mailed to eligible voters.

### **ANALYSIS:**

Resulting from legislative changes and other housekeeping changes, the following amendments are being proposed for Council's consideration (see attached By-law for full details):

#### **1. Updated Definition**

- "Election"

#### **2. Additional Definitions:**

- "By-law Enforcement Officer"
- "Candidate"
- "Highway"
- "Municipal Property"
- "Road allowance"
- "Third Party Advertiser"
- "Third Party Advertisement"
- "Voting Location"

### **3. Amendments to Section 3. Election Signs**

- clarify wording in Sections 3.1, 3.2
- at section 3.2, allows that election signs can be displayed once the Clerk certifies the Nomination Papers instead of 28 days prior to election day, to reflect the Vote by Mail method of voting
- at section 3.4, specifies that election signs may only be erected on private property with the consent of the owner or the tenant
- at section 3.5, allows seven days following election day for the removal of signs
- at section 3.6, clarifies compliance with other authorities

### **BUDGET/LEGAL IMPLICATIONS:**

Not applicable.

### **INTERDEPARTMENTAL IMPACTS:**

Not applicable.

### **LINKS TO STRATEGIC PLANS:**

Not applicable.

### **CONCLUSION/RECOMMENDATIONS:**

The proposed Signs By-law Amendment is attached to the report and includes the reported updates; it is recommended that it be adopted at the Council Meeting being held March 21, 2018.

### **ATTACHMENTS:**

Draft Signs By-law Amendment

Respectfully submitted:

Approved:

Mélanie Bouffard  
Clerk  
Date: February 27, 2018

Marc Gagnon  
Chief Administrative Officer

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2018-\*\***

**BEING A BY-LAW TO AMEND BY-LAW 2015-20, A BY-LAW TO REGULATE  
AND PROHIBIT THE PLACEMENT OF SIGNS AND OTHER ADVERTISING  
DEVICES IN THE MUNICIPALITY OF FRENCH RIVER**

**WHEREAS** pursuant to Section 10 (2) 10. of the Municipal Act, R.S.O. 2001, S.O. 2001, c. 25, as amended, authorizes a municipal council to pass by-laws respecting structures, including fences and signs within the municipality;

**AND WHEREAS** Council passed the Signs By-law No. 2015-20 to regulate and prohibit the placement of signs and other advertising devices in the Municipality of French River;

**AND WHEREAS** Council deems it expedient to amend By-law 2015-20 in accordance with Bill 181 Municipal Elections Modernizing Act which amends the Municipal Elections Act;

**NOW THEREFORE** the Council of the Municipality of French River enacts as follows:

**1. THAT** Signs By-law No. 2015-20 be hereby amended as follows:

**1.1 THAT** the following Definitions in Section 2.1 be deleted and replaced with the following:

~~**“Election Sign”** means a sign advertising or promoting the election of a political party or a candidate for public office in a federal, provincial or municipal election;~~

**“Election”** sign means:

- i. any sign advertising or promoting a candidate in a federal, provincial or municipal election including an election for a local board or commission;
- ii. any sign intended to influence persons to vote for or against any candidate or any question or by-law submitted to the electors in accordance with the Municipal Elections Act, 1996; or
- iii. a vehicle where a large or predominant portion of the vehicle is used for purposes of campaigning;

**1.2 THAT** the following Definitions in Section 2.1 be added:

**“By-law Enforcement Officer”** means a by-law enforcement officer appointed by the Council of the Corporation of the Municipality of French River;

**“Candidate”** means shall have the same meaning as in the Canada Elections Act, the Election Act Ontario or the Municipal Elections Act 1996, as amended, as applicable and shall be deemed to include a person seeking to influence other persons to vote for or against any question or by law submitted in accordance with the Municipal Elections Act 1996, as amended;



**“Highway”** includes a common and public highway, street, avenue, parkway, driveway, square place, bridge, viaduct or trestle any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral lines thereof;

**“Municipal Property”** means land or buildings owned or leased by the Municipality of French River, or a local board as defined in the Municipal Act, 2001, as amended;

**“Road allowance”** means the part of the highway located between the shoulder of the highway and the lateral property line of the abutting property;

**“Third Party Advertiser”** means individuals, corporations or trade union that are not a political party, candidate or constituency association, and that engages in political advertising. Third parties include corporations, partnerships, unincorporated businesses and associations, and many other groups.

**“Third Party Advertisement”** is a message in any medium that has the purpose of promoting or supporting or opposing a candidate (s) or a ‘yes’ or ‘no’ to a question on the ballot. Third party advertising does not include issues-based advertising so groups that do public outreach can continue their issued-based advocacy work throughout the municipal election period. Advertising that does not cost money to post or broadcast, such as comments made on social media, will not be considered to be third party advertising.

**“Voting Location”** means the entire property where an election occurs and all boundaries associated with it when such voting location is located within public premises and shall mean all the common elements when the voting location is located on private premises.

**1.3 THAT** the following Section 3. Election Signs be hereby deleted and replaced with the following:

3.1 No person or third party advertiser shall affix, erect, display, repair or alter or cause or permit to be affixed, erected, displayed, repaired or altered an election sign on any lands or buildings or structures within the Municipality, except in accordance with the provisions of this by-law;

3.2 Notwithstanding any other provision of this by-law no person or third party advertiser shall affix, erect or otherwise display an election sign or permit an election sign to be affixed, erected or otherwise displayed:

- a. on any official sign or official sign structure;
- b. within a sight triangle;
- c. on the land or buildings situated on or in or on a vehicle that is parked at any voting location or on the road allowance in front of the voting location or within fifty (50) metres of the voting location;
- d. at any location where the election sign:
  - i. obstructs the view of any pedestrian or driver of a motor vehicle, or obstruct the visibility of any traffic sign or device, or where it could interfere with vehicular traffic so that it could endanger any person;

- ii. obstructs openings required for light, ventilation, ingress, egress or firefighting;
- iii. constitutes a danger or hazard to the general public;
- iv. impedes or hinders or prevents parking by vehicles on private or public lands or on a public highway or eliminates a public parking space required by law;
- v. impedes or hinders a view of a public highway or a railway crossing;
- vi. is located on any municipal, provincial, federal or school property;
- vii. is attached to a tree, bush, stone or other natural object;
- viii. is attached to any utility pole or any other municipal infrastructure.
- e. No person or third party advertiser shall deface, move, or willfully cause damage to a lawfully erected election sign.
- f. No person or third party advertiser shall use the Municipal logo, crest or seal on any advertisement.
- g. No person or third party advertiser shall leave an abandoned sign on a property.

3.2 No person shall affix, erect or otherwise display an election sign or permit or cause an election sign to be erected, affixed, or otherwise displayed until **after the Clerk has certified the Nomination Papers on the Monday following Nomination Day. Candidates will be notified once the Clerk posts the List of Certified Candidates as per the Clerk's Procedures.**

- ~~a. after the candidate has filed his or her nominations papers with the Office of the Clerk, in accordance to the Municipal Act; and~~
- ~~b. within twenty eight (28) days prior of the election day, inclusive of Election Day.~~

3.3 Election signs shall not exceed a maximum sign area of 1.5 square metres with the exception of those placed on billboard signs.

3.4 **Election signs may only be erected with the consent of the owner or the tenant on the lot.**

3.5 Election signs shall be removed **no later than seven (7) days** ~~within 72 hours~~ immediately following Election Day.

3.6 Candidates to whom the election sign relates shall be responsible for **compliance with this by-law, signage by-laws and regulations of the Province of Ontario (MTO) and Hydro One, as the case may be.** ~~the erection or display of the election sign and shall ensure that all the requirements of this By Law have been met.~~

3.7 Where an election sign has been affixed, erected or otherwise displayed in contravention of any provision of this By-Law, the Officer may cause the sign to be removed immediately without notice and/or take any further action as provided in Section 8 of this By-Law.

2. That this By-Law comes into force and takes effect upon the date of its final passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 21<sup>st</sup> DAY OF MARCH 2018.**



# Municipality of French River

Report CL-04-2018  
of the Clerk's Department  
For Consideration by Council

## RE: Procedure By-law Amendments

**OBJECTIVE:** To present the amendments required to the Procedure By-law resulting from Bill 68.

### **BACKGROUND:**

Bill 68, Modernizing Ontario's Municipal Legislation Act received Royal Assent on May 30, 2017, which introduced a series of reforms to the Municipal Act, the Municipal Conflict of Interest Act and several other Acts. Bill 68 has significant impacts on municipal government.

The provisions of Bill 68 will be implemented in phases while some remain with proclamation dates left unannounced.

### **ANALYSIS:**

The Municipality of French River is required to update the Procedure By-law to reflect the legislative changes resulting from Bill 68; the following amendments are proposed for Council's consideration:

#### **1. New Definition of a Meeting (*effective January 1, 2018*)**

Currently the Municipal Act defines a meeting as "any regular, special or other meeting of a council, of a local board or of a committee of either of them."

A new 'Meeting' definition was introduced based on two criteria: quorum and materially advancing the business of Council to clarify some of the ambiguity that existed.

"Meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, 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.

It is recommended that the definition be updated in the Procedure By-law to ensure consistency with the Act.

## **2. New Closed Meeting Exceptions (*effective January 1, 2018*)**

In accordance with the *Municipal Act*, all meetings shall be open to the public, except in particular discretionary circumstances described in Subsections 239(2) and 239(3.1), as well as particular mandatory circumstances addressed in Subsection 239(3) of the Act. There are now four new discretionary clauses that may be used for a meeting to be closed to the public under Subsection 239(2) of the Act, as follows:

- information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- 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; or
- 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. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

It is recommended that the Procedure By-law be updated to reflect this change to ensure consistency with the Act. This can be achieved by referencing the appropriate subsections of the Municipal Act, rather than listing the specific exemptions individually.

## **3. Disclosures of Pecuniary Interest (*effective March 1, 2019*)**

A member of council or a local board who declares a pecuniary interest at a meeting will be required to file a written statement of the member's interest and its general nature at the meeting or as soon as possible after the meeting. There is a new requirement for municipalities and local boards to establish and maintain a registry of statements and declarations of the pecuniary interests of members and make it available for public inspection.

It is recommended that the Procedure By-law be updated to reflect this change to ensure consistency with the Act.

### **BUDGET/LEGAL IMPLICATIONS:**

### **INTERDEPARTMENTAL IMPACTS:**

Not applicable.

### **LINKS TO STRATEGIC PLANS:**

Not applicable.

## **CONCLUSION/RECOMMENDATIONS:**

The proposed By-law to Amend the Procedure By-law is attached to the report and includes the reported updates; it is recommended that it be adopted at the Council Meeting being held March 21, 2018.

Although the amendments relating to the Disclosures of Pecuniary Interest is not in force until March 1, 2019, Council may choose to implement the practice at this time. It has been suggested that Council should enact such legislative changes prior to any potential 'lame duck' period (after Nomination Day - July 27<sup>th</sup>, 2018) where Council's powers will be restricted.

## **ATTACHMENTS:**

Draft Procedure By-law Amendments

Respectfully submitted:

Approved:

Mélanie Bouffard  
Clerk  
Date: February 27, 2018

Marc Gagnon  
Chief Administrative Officer

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2018-\*\***

**BEING A BY-LAW TO AMEND BY-LAW 2017-02, A BY-LAW TO GOVERN THE  
CALLING, PLACE AND PROCEEDINGS OF MEETINGS  
FOR THE MUNICIPALITY OF FRENCH RIVER**

**WHEREAS** every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings, pursuant to Section 238 (2) of the *Municipal Act*;

**AND WHEREAS** the procedure by-law shall provide for public notice of meetings, pursuant to Section 238 (2.1) of the *Municipal Act*;

**WHEREAS** Council passed Procedure By-law 2017-02, and deems it expedient to amend it in accordance with Bill 68 Modernizing Ontario's Municipal Legislation Act, which amends the Municipal Act and Municipal Conflict of Interest Act;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:**

1. **THAT** Procedure By-law No. 2017-02 be hereby amended as follows:

1.1. **THAT** the definition of "Meeting" provided in Section 1.2 Definitions be hereby deleted and replaced with the following:

"Meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, 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.

1.2. **THAT** Subsection a) under Section 3.9 Closed Meetings be hereby deleted and replaced with the following:

a) All meetings of the Council and its Committees shall be open to the public. Council may, by resolution, close a meeting or part of a meeting to the public in accordance with s. 239 (2), (3) and (3.1) of the Municipal Act, as amended and attached as Appendix "C".

1.3. **THAT** Subsection a) to e) under Section 4.4 Disclosures of Pecuniary Interest be hereby deleted and replaced with the following:

a) When a Member has any declaration of pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council, at which the matter is the subject of consideration, the member shall act in accordance with the *Municipal Conflict of Interest Act*, as amended (attached as Appendix “D”) and declare a pecuniary interest.

b) If the Chair has disclosed a pecuniary interest on any matter before Council or Committee, the Chair shall withdraw from the Chair during the deliberations on that matter.

c) The Member disclosing a pecuniary interest, shall at a meeting or *as soon as possible afterwards* or *no later than 48 hours after declaring the pecuniary interest*, file a written statement of the interest and its general nature with the Clerk on the Declaration of Interest Form.

d) The Declaration of Interest Form, as prepared by the Clerk, shall form part of the Registry. The Registry shall be made available for public inspection and kept up to date, no later than 72 hours following the declaration, at the Clerk’s Office during regular office hours and posted on the Municipal Website.

1.4. **THAT** the following be added to Part 10 Appendixes:

Appendix “C” - Municipal Act, Section 239 (1)(2)(3)(3.1)

Appendix “D” - Municipal Conflict of Interest Act and Declaration Form

2. That this By-law comes into force and takes effect upon the date of its final passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 21<sup>st</sup> OF MARCH 2018**

---

**MAYOR**

---

**CLERK**

# **Municipal Act, 2001**

## **S.O. 2001, CHAPTER 25**

**Consolidation Period:** From January 1, 2018 to the [e-Laws currency date](#).

Last amendment: 2017, c. 34, Sched. 35, s. 28.

### **MEETINGS**

#### **Meetings open to public**

**239** (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

#### **Exceptions**

- (2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,
- (a) the security of the property of the municipality or local board;
  - (b) personal matters about an identifiable individual, including municipal or local board employees;
  - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
  - (d) labour relations or employee negotiations;
  - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
  - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
  - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
  - (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; or
  - (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. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

#### **Other criteria**

- (3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,
- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
  - (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22.

#### **Educational or training sessions**

(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. 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, local board or committee. 2006, c. 32, Sched. A, s. 103 (1).



# Municipal Conflict of Interest Act

R.S.O. 1990, CHAPTER M.50

**Consolidation Period:** From May 30, 2017 to the [e-Laws currency date](#).

Last amendment: 2017, c. 10, Sched. 3.

Legislative History: 1994, c. 23, s. 2; 1996, c. 32, s. 76; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156; 1999, c. 6, s. 41; 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45; 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. C, s. 33; 2006, c. 32, Sched. D, s. 10; 2007, c. 7, Sched. 27; 2007, c. 8, s. 219; 2009, c. 33, Sched. 21, s. 7; 2016, c. 23, s. 58; 2017, c. 10, Sched. 3.

## CONTENTS

<a href="#">1.</a>	Definitions
<a href="#">1.1</a>	Principles
<a href="#">2.</a>	Indirect pecuniary interest
<a href="#">3.</a>	Interest of certain persons deemed that of member
	<a href="#">EXCEPTIONS</a>
<a href="#">4.</a>	Where s. 5 does not apply
	<a href="#">DUTY OF MEMBER</a>
<a href="#">5.</a>	When present at meeting at which matter considered
<a href="#">5.1</a>	Written statement re disclosure
<a href="#">5.2</a>	Influence
	<a href="#">RECORD OF DISCLOSURE</a>
<a href="#">6.</a>	Disclosure to be recorded in minutes
	<a href="#">REGISTRY</a>
<a href="#">6.1</a>	Requirement to establish registry
	<a href="#">REMEDY FOR LACK OF QUORUM</a>
<a href="#">7.</a>	Quorum deemed constituted
	<a href="#">ACTION WHERE CONTRAVENTION ALLEGED</a>
<a href="#">8.</a>	Who may try alleged contravention of s. 5 (1-3)
<a href="#">8.</a>	Application
<a href="#">9.</a>	Who may apply to judge
<a href="#">9.</a>	Power of judge
<a href="#">10.</a>	Power of judge to declare seat vacant, disqualify member and require restitution
<a href="#">11.</a>	Appeal to Divisional Court
<a href="#">12.</a>	Proceedings not invalidated but voidable
<a href="#">12.</a>	Proceedings not invalidated but voidable
<a href="#">13.</a>	Other procedures prohibited
<a href="#">13.</a>	Other proceedings prohibited
	<a href="#">GENERAL</a>
<a href="#">14.</a>	Insurance
<a href="#">15.</a>	Conflict with other Acts

## Definitions

1 In this Act,

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

“controlling interest” means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; (“intérêts majoritaires”)

“council” means the council of a municipality; (“conseil”)

“elector” means,

(a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and

(b) in respect of a school board, a person entitled to vote at the election of members of the school board; (“électeur”)

“interest in common with electors generally” means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; (“intérêt commun à tous les électeurs”)

“judge” means a judge of the Superior Court of Justice; (“juge”)

“local board” means a school board, board of directors of a children’s aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; (“conseil local”)

“meeting” includes any regular, special, committee or other meeting of a council or local board, as the case may be; (“réunion”)

“member” means a member of a council or of a local board; (“membre”)

“municipality” includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; (“municipalité”)

“parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family; (“père ou mère”)

“school board” means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; (“conseil scolaire”)

“senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; (“dirigeant”)

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. (“conjoint”) R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219; 2016, c. 23, s. 58.

#### **Section Amendments with date in force (d/m/y)**

1997, c. 31, s. 156 (1) - 01/01/1998; 1999, c. 6, s. 41 (1) - 01/03/2000

2002, c. 17, Sched. F, Table - 01/01/2003

2005, c. 5, s. 45 (1, 2) - 13/06/2005

2006, c. 19, Sched. C, s. 1 (1) - 22/06/2006; 2006, c. 32, Sched. D, s. 10 - 01/01/2007

2007, c. 8, s. 219 - 01/07/2010

2016, c. 23, s. 58 - 01/01/2017

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2017, c. 10, Sched. 3, s. 1)**

#### **Principles**

**1.1** The Province of Ontario endorses the following principles in relation to the duties of members of councils and of local boards under this Act:

1. The importance of integrity, independence and accountability in local government decision-making.
2. The importance of certainty in reconciling the public duties and pecuniary interests of members.

3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise. 2017, c. 10, Sched. 3, s. 1.

#### **Section Amendments with date in force (d/m/y)**

2017, c. 10, Sched. 3, s. 1 - 01/03/2019

#### **Indirect pecuniary interest**

**2** For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
  - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
  - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
  - (iii) is a member of a body,

that has a pecuniary interest in the matter; or

- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

#### **Interest of certain persons deemed that of member**

**3** For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).

#### **Section Amendments with date in force (d/m/y)**

1999, c. 6, s. 41 (2) - 01/03/2000

2005, c. 5, s. 45 (3) - 13/06/2005

#### **EXCEPTIONS**

#### **Where s. 5 does not apply**

**4** Section 5 does not apply to a pecuniary interest in any matter that a member may have,

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 4 of the Act is amended by striking out “Section 5 does not” at the beginning of the portion before clause (a) and substituting “Sections 5 and 5.2 do not”. (See: 2017, c. 10, Sched. 3, s. 2)**

- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
- (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
- (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
- (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
- (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
- (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
- (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;

- (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
- (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;
- (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
- (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1).

**Section Amendments with date in force (d/m/y)**

2002, c. 17, Sched. F, Table - 01/01/2003

2006, c. 32, Sched. C, s. 33 (1) - 01/01/2007

2017, c. 10, Sched. 3, s. 2 - 01/03/2019

**DUTY OF MEMBER**

**When present at meeting at which matter considered**

**5** (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
  - (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
  - (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- R.S.O. 1990, c. M.50, s. 5 (1).

**Where member to leave closed meeting**

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 5 of the Act is amended by adding the following subsection: (See: 2017, c. 10, Sched. 3, s. 3)**

**Exception, consideration of penalty**

(2.1) The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*:

1. Despite clauses (1) (b) and (c), the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
2. Despite subsection (2), in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration. 2017, c. 10, Sched. 3, s. 3.

**When absent from meeting at which matter considered**

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).

**Section Amendments with date in force (d/m/y)**

2017, c. 10, Sched. 3, s. 3 - 01/03/2019

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following sections before the heading “Record of Disclosure”: (See: 2017, c. 10, Sched. 3, s. 4)**

#### **Written statement re disclosure**

**5.1** At a meeting at which a member discloses an interest under section 5, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be. 2017, c. 10, Sched. 3, s. 4.

#### **Influence**

**5.2** (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the municipality or local board, or by a person or body to which the municipality or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

#### **Exception**

(2) However, if a municipality delegates a power to suspend the remuneration paid to a member under subsection 223.4 (5) of the *Municipal Act, 2001* or subsection 160 (5) of the *City of Toronto Act, 2006* to a person or body, and the person or body is considering exercising that power with respect to a member, subsection (1) of this section does not prevent the member from attempting to influence any decision or recommendation of the person or body that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

#### **Section Amendments with date in force (d/m/y)**

2017, c. 10, Sched. 3, s. 4 - 01/03/2019

### **RECORD OF DISCLOSURE**

#### **Disclosure to be recorded in minutes**

**6** (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

#### **Idem**

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2017, c. 10, Sched. 3, s. 5)**

### **REGISTRY**

#### **Requirement to establish registry**

**6.1** (1) Every municipality and local board shall establish and maintain a registry in which shall be kept,

- (a) a copy of each statement filed under section 5.1; and
- (b) a copy of each declaration recorded under section 6. 2017, c. 10, Sched. 3, s. 5.

#### **Access to registry**

(2) The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine. 2017, c. 10, Sched. 3, s. 5.

#### **Section Amendments with date in force (d/m/y)**

2017, c. 10, Sched. 3, s. 5 - 01/03/2019

### **REMEDY FOR LACK OF QUORUM**

#### **Quorum deemed constituted**

**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).

### Application to judge

(2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

### Power of judge to declare s. 5 not to apply

(3) The judge may, on an application brought under subsection (2), by order, declare that section 5 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3).

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, subsection 7 (3) of the Act is amended by striking out “section 5” and substituting “section 5, 5.1 or 5.2”. (See: 2017, c. 10, Sched. 3, s. 6)**

### Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 6 - 01/03/2019

### ACTION WHERE CONTRAVENTION ALLEGED

### Who may try alleged contravention of s. 5 (1-3)

**8** The question of whether or not a member has contravened subsection 5 (1), (2) or (3) may be tried and determined by a judge. R.S.O. 1990, c. M.50, s. 8.

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 8 of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 7)**

### Application

**8** (1) An elector, an Integrity Commissioner of a municipality or a person demonstrably acting in the public interest may apply to a judge for a determination of the question of whether,

- (a) a member has contravened section 5, 5.1 or 5.2; or
- (b) a former member contravened section 5, 5.1 or 5.2 while he or she was a member. 2017, c. 10, Sched. 3, s. 7.

### Six-week period

(2) An application may only be made within six weeks after the applicant became aware of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

### Exception

(3) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if all of the following conditions are satisfied:

1. The applicant applied to an Integrity Commissioner for an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* in accordance with those sections.
2. The Integrity Commissioner conducted an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* and the Commissioner,
  - i. has advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
  - ii. has not completed the inquiry within the time limit set out in subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006*, or
  - iii. has terminated the inquiry under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*.
3. The application under this section includes a copy of the applicant's statutory declaration made under subsection 223.4.1 (6) of the *Municipal Act, 2001* or under subsection 160.1 (6) of the *City of Toronto Act, 2006*.
4. The application under this section is made within six weeks after the earlier of the following,

- i. the day the Commissioner advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
- ii. the last day on which the Commissioner is required under subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006* to complete the inquiry referred to in paragraph 2 of this subsection, and
- iii. the day the inquiry was terminated under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

#### **Same, application by Integrity Commissioner**

(4) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if the applicant is an Integrity Commissioner and if the application relates to an inquiry conducted by the Commissioner under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

#### **No application by Integrity Commissioner during regular election**

(5) No application shall be made by an Integrity Commissioner of a municipality during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act. 2017, c. 10, Sched. 3, s. 7.

#### **Limitation**

(6) Despite subsections (2), (3) and (4), no application shall be made after the sixth anniversary of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

#### **Contents of notice of application**

(7) The notice of application shall state the grounds for finding that the member or former member contravened section 5, 5.1 or 5.2. 2017, c. 10, Sched. 3, s. 7.

#### **Section Amendments with date in force (d/m/y)**

2017, c. 10, Sched. 3, s. 7 - 01/03/2019

#### **Who may apply to judge**

**9** (1) Subject to subsection (3), an elector may, within six weeks after the fact comes to his or her knowledge that a member may have contravened subsection 5 (1), (2) or (3), apply to the judge for a determination of the question of whether the member has contravened subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 9 (1).

#### **Contents of notice of application**

(2) The elector in his or her notice of application shall state the grounds for finding a contravention by the member of subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 9 (2).

#### **Time for bringing application limited**

(3) No application shall be brought under subsection (1) after the expiration of six years from the time at which the contravention is alleged to have occurred. R.S.O. 1990, c. M.50, s. 9 (3).

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 9 of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 7)**

#### **Power of judge**

**9** (1) If the judge determines that the member or former member contravened section 5, 5.1 or 5.2, the judge may do any or all of the following:

1. Reprimand the member or former member.
2. Suspend the remuneration paid to the member for a period of up to 90 days.
3. Declare the member's seat vacant.
4. Disqualify the member or former member from being a member during a period of not more than seven years after the date of the order.

5. If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, if the party's identity is not readily ascertainable, to the municipality or local board, as the case may be. 2017, c. 10, Sched. 3, s. 7.

#### **Same**

(2) In exercising his or her discretion under subsection (1) the judge may consider, among other matters, whether the member or former member,

- (a) took reasonable measures to prevent the contravention;
- (b) disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner under the *Municipal Act, 2001* or the *City of Toronto Act, 2006* and acted in accordance with the advice, if any, provided to the member by the Commissioner; or
- (c) committed the contravention through inadvertence or by reason of an error in judgment made in good faith. 2017, c. 10, Sched. 3, s. 7.

#### **Section Amendments with date in force (d/m/y)**

2017, c. 10, Sched. 3, s. 7 - 01/03/2019

#### **Power of judge to declare seat vacant, disqualify member and require restitution**

**10** (1) Subject to subsection (2), where the judge determines that a member or a former member while he or she was a member has contravened subsection 5 (1), (2) or (3), the judge,

- (a) shall, in the case of a member, declare the seat of the member vacant; and
- (b) may disqualify the member or former member from being a member during a period thereafter of not more than seven years; and
- (c) may, where the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, where such party is not readily ascertainable, to the municipality or local board of which he or she is a member or former member. R.S.O. 1990, c. M.50, s. 10 (1).

#### **Saving by reason of inadvertence or error**

(2) Where the judge determines that a member or a former member while he or she was a member has contravened subsection 5 (1), (2) or (3), if the judge finds that the contravention was committed through inadvertence or by reason of an error in judgment, the member is not subject to having his or her seat declared vacant and the member or former member is not subject to being disqualified as a member, as provided by subsection (1). R.S.O. 1990, c. M.50, s. 10 (2).

#### **Member not to be suspended**

(3) The authority to disqualify a member in subsection (1) does not include the right to suspend a member. R.S.O. 1990, c. M.50, s. 10 (3).

#### **Transition: disqualification**

(4) A disqualification of a member of a school board under this section that would have continued after December 31, 1997 but for the dissolution of the school board continues for its duration with respect to membership on any board whose members are elected by members of the electoral group who elected the member. 1997, c. 31, s. 156 (2).

#### **Definition**

(5) In subsection (4),

“electoral group” has the same meaning as in Part VIII of the *Education Act* as the Part read on January 1, 1997. 1997, c. 31, s. 156 (2).

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 10 of the Act is repealed. (See: 2017, c. 10, Sched. 3, s. 7)**

#### **Section Amendments with date in force (d/m/y)**

1997, c. 31, s. 156 (2) - 01/01/1998

2017, c. 10, Sched. 3, s. 7 - 01/03/2019



## **Appeal to Divisional Court**

**11** (1) An appeal lies from any order made under section 10 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1).

**Note:** On March 1, 2019, the day named by proclamation of the Lieutenant Governor, subsection 11 (1) of the Act is amended by striking out “section 10” and substituting “section 9”. (See: 2017, c. 10, Sched. 3, s. 8)

## **Judgment or new trial**

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

## **Appeal from order or new trial**

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

## **Section Amendments with date in force (d/m/y)**

2017, c. 10, Sched. 3, s. 8 - 01/03/2019

## **Proceedings not invalidated but voidable**

**12** The failure of any person to comply with subsection 5 (1), (2) or (3) does not of itself invalidate any proceedings in respect of any such matter but the proceedings in respect of such matter are voidable at the instance of the municipality or of the local board, as the case may be, before the expiration of two years from the date of the passing of the by-law or resolution authorizing such matter unless to make void the proceedings would adversely affect the rights of any person acquired under or by virtue of the proceedings who acted in good faith and without actual notice of the failure to comply with subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 12.

**Note:** On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 12 of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 9)

## **Proceedings not invalidated but voidable**

**12** (1) A member’s failure to comply with section 5, 5.1 or 5.2 does not invalidate any proceedings in respect of a matter referred to in those sections, but those proceedings are voidable in the circumstances described in subsection (2). 2017, c. 10, Sched. 3, s. 9.

## **Declaring proceedings void**

(2) Subject to subsection (3), if a member has failed to comply with section 5, 5.1 or 5.2 in respect of a matter referred to in those sections, the municipality or local board, as the case may be, may declare the proceedings to be void before the second anniversary of the date of the passing of the by-law or resolution authorizing the matter. 2017, c. 10, Sched. 3, s. 9.

## **Exception**

(3) Subsection (2) does not apply if declaring the proceedings to be void would adversely affect the rights that any person who acted in good faith and without actual notice of the failure to comply with section 5, 5.1 or 5.2 acquired under or by virtue of the proceedings. 2017, c. 10, Sched. 3, s. 9.

## **Section Amendments with date in force (d/m/y)**

2017, c. 10, Sched. 3, s. 9 - 01/03/2019

## **Other procedures prohibited**

**13** Proceedings to declare a seat vacant or to disqualify a member or former member for conflict of interest, or to require a member or former member to make restitution where a contravention has resulted in personal financial gain, shall be had and taken only under this Act. R.S.O. 1990, c. M.50, s. 13.

**Note:** On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 13 of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 9)

## **Other proceedings prohibited**

**13** (1) A proceeding that relates to a member’s or former member’s alleged conflict of interest and seeks a remedy described in subsection 9 (1) shall be brought only under this Act. 2017, c. 10, Sched. 3, s. 9.

## Same

(2) Subsection (1) does not affect the power of a municipality or a local board to reprimand a member or suspend a member's remuneration under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 9.

## Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 9 - 01/03/2019

## GENERAL

### Insurance

**14** (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2).

**Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, subsection 14 (1) of the Act is amended by striking out "section 5" and substituting "section 5, 5.1 or 5.2" in the portion after clause (c). (See: 2017, c. 10, Sched. 3, s. 10 (1))**

### *Insurance Act does not apply*

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

### Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in such securities as a municipality may invest in under the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, as the case may be. R.S.O. 1990, c. M.50, s. 14 (3); 1996, c. 32, s. 76 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (3); 2007, c. 7, Sched. 27, s. 1.

**Note: On March 1, 2018, the day named by proclamation of the Lieutenant Governor, subsection 14 (3) of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 10 (2))**

### Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in accordance with subsection 279 (2) of the *Municipal Act, 2001* or subsection 218 (3) of the *City of Toronto Act, 2006*, as the case may be. 2017, c. 10, Sched. 3, s. 10 (2).

### Reserve funds

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

### Local boards

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

### Former members

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

## Section Amendments with date in force (d/m/y)

1996, c. 32, s. 76 (1) - 06/03/1997

2002, c. 17, Sched. F, Table - 01/01/2003

2006, c. 32, Sched. C, s. 33 (2, 3) - 01/01/2007

2007, c. 7, Sched. 27, s. 1 - 05/05/2008

2009, c. 33, Sched. 21, s. 7 - 15/12/2009

2017, c. 10, Sched. 3, s. 10 (1) - 01/03/2019; 2017, c. 10, Sched. 3, s. 10 (2) - 01/03/2018

#### **Conflict with other Acts**

**15** In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.

---

Français

[Back to top](#)



## Declarations of Interest Form

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

### **Agenda**

- ☐ Combined Council Meeting
- ☐ Regular Council Meeting
- ☐ Special Council Meeting
- ☐ Committee \_\_\_\_\_

### **Details**

Date of Meeting: \_\_\_\_\_

Report Number: \_\_\_\_\_

Subject Matter: \_\_\_\_\_

### **Member Signature/Certification**

I, Councillor \_\_\_\_\_, declare a potential (☐deemed/☐direct/☐indirect)

pecuniary interest on the matter outlined above for the following reason:

---

---

---

---

---

Councillor Signature: \_\_\_\_\_

---

For an “indirect pecuniary interest” see Section 2 of the *Municipal Conflict of Interest Act*.

For a “deemed” direct or indirect pecuniary interest see Section 3 of the *Municipal Conflict of Interest Act*.

Marc Gagnon  
Chief Administrative Officer  
44 St. Christophe Street, Suite 1  
Noelville, ON  
P0M 2N0

February 28<sup>th</sup>, 2018

Dear Worship and members of council,

As president of Village amis des aînés, amis de tous of French River (VAA) senior friendly trails committee, I am asking council for their support with securing funds through grant applications such as the FCC Agri Spirit fund, TD grant and Trillium.

The Senior Friendly Trail VAA is a community based project in the Municipality of French River initiated by our Age Friendly committee (VAA) and in partnership with the Municipality. This trail development will be an accessible nature path geared to seniors, children, the community at large and tourists, linking our community gardens initiative in front of our senior housing and our municipal complex.

Trails connect community members from children through older adults by enabling them to become active. Trails are an engaging and supportive environment that strengthens social connections and brings generations together to create a healthy green space for hiking and walking. A wilderness trail promotes many health benefits for our residents such as increases happiness, promotes good mental health, plays a role in chronic disease management and improves quality of sleep.

On behalf of the committee, I am asking for council's support with grant applications in order to secure funds for VAA senior friendly trails committee to create an accessible trail for all in our community. We thank you in advance for your consideration and support.

Sincerely,

A handwritten signature in cursive script that reads "André Gélinas".

André Gélinas  
President  
VAA Senior Friendly Trail committee



## Municipality of French River

### MINUTES OF THE REGULAR COUNCIL MEETING

held in the Council Chambers

Wednesday, February 21, 2018 at 6pm

---

#### **Members Present:**

Mayor Claude Bouffard(Chair), Councillors Michel Bigras, Ronald Garbutt, Malcolm Lamothe, Gisèle Pageau, Denny Sharp, Dean Wenborne

#### **Members Excused:**

#### **Officials Present:**

Marc Gagnon, Chief Administrative Officer  
Mélanie Bouffard, Clerk

#### **Guests:**

3 Members of public

#### **1. Call to Order and Roll Call**

The Chair called the meeting to order at 6:00 p.m.

---

#### **2. Adoption of Agenda (*and Additions if applicable*)**

Moved By Ron Garbutt and Seconded By Mike Bigras

Resol. 2018- 45

**BE IT RESOLVED THAT** the agenda be approved as distributed.

Carried

---

#### **3. Disclosure of Pecuniary Interest**

Councillor Michel Bigras declared a pecuniary interest at Item 5.5.2 and 5.5.3; his son is the Interim Fire Chief.

---

#### **4. Delegations (NIL)**

---

#### **5. Reports and Items for Consideration**

##### **5.1 General Government (NIL)**

---

##### **5.2 Finance (NIL)**

### **5.3 Public Works & Environment Services**

#### **5.3.1 Resolution to pass By-law 2018-12 to appoint Council Members to the Court of Revision pursuant to the Drainage Act, S. 97**

Moved By Gisele Pageau and Seconded By Ron Garbutt

Resol. 2018- 46

**BE IT RESOLVED THAT** By-law 2018-12, being a by-law to appoint the Court of Revision pursuant to the Drainage Act, S. 97 be read a first, second and third time and finally passed.

Carried

---

### **5.4 Community Services (NIL)**

---

### **5.5 Emergency Services and Public Safety**

#### **5.5.1 Manitoulin-Sudbury District Services Board Report by Councillor Wenborne**

Councillor Wenborne presented the report included in the agenda package.

---

#### **5.5.2 Resolution to adopt By-law 2018-10 to amend By-law 2017-35 Fees and Related Charges to add the Fire Response Fees - Indemnification Technology®**

Moved By Denny Sharp and Seconded By Dean Wenborne

Resol. 2018- 47

**BE IT RESOLVED THAT** By-law 2018-10, being a by-law to amend By-law 2017-35 Fees and Related Charges set out by the Municipal Council of French River (addition of Fire Response Fees - Indemnification Technology®) be read a first, second and third time and finally passed.

Carried

#### **Disclosure of Pecuniary Interest**

Name: Councillor Mike Bigras

**Disclosed his/her (their) interest(s), abstained from discussion and did not participate on this Item.**

**5.5.3 Resolution to adopt By-law 2018-11 to enter into an Agency Agreement with Fire Marquee Inc. to establish a Indemnification Technology ® Program**

Moved By Malcolm Lamothe and Seconded By Gisele Pageau

Resol. 2018- 48

**BE IT RESOLVED THAT** By-law 2018-11, being a by-law to authorize the Agreement with Fire Marquee Inc. for the purpose of an Indemnification Technology ® Program be read a first, second and third time and finally passed.

Carried

**Disclosure of Pecuniary Interest**

Name: Councillor Mike Bigras

**Disclosed his/her (their) interest(s), abstained from discussion and did not participate on this Item.**

---

**5.6 Development & Planning (NIL)**

---

**5.7 Correspondence (NIL)**

---

**6. Consent Agenda**

The following motion was presented to adopt the items contained in the Consent Agenda:

Moved By Denny Sharp and Seconded By Ron Garbutt

Resol. 2018- 49

**BE IT RESOLVED THAT** Council approves the Items of the Consent Agenda under Sections 6.1, 6.3 and 6.4 and receives the Items under Sections 6.2.

Carried

---

**6.1 Adoption of Minutes**

Moved By Denny Sharp and Seconded By Ron Garbutt

Resol. 2018- 50

**BE IT RESOLVED THAT** Council adopts the following minutes as presented:

Special Council Meeting of held January 30, 2018  
Combined Council Meeting held February 7, 2018

Carried



## 6.2 Receipt of Minutes

Moved By Denny Sharp and Seconded By Ron Garbutt

Resol. 2018- 51

**BE IT RESOLVED THAT** Council receives the following minutes as presented:

Sudbury East Planning Board meeting held December 7, 2017

Carried

---

## 6.3 Items for Consideration or Information (NIL)

---

## 6.4 By-laws (NIL)

---

## 7. Notices of Motion (NIL)

---

## 8. Announcement and Inquiries

The CAO reminded Council and the public of the Draft 2018 Budget presentation being held on Thursday, February 22, 2018 at 6:30pm at the Alban Community Centre.

The proposed date for the adoption of the Budget will be scheduled for March 7, 2018.

---

## 9. Closed Session

Moved By Gisele Pageau and Seconded By Ron Garbutt

Resol. 2018- 52

**BE IT RESOLVED THAT** the meeting be closed as authorized in the Municipal Act pursuant to Section 239 (2) (b) "personal matters about an identifiable individual, including municipal or local board employees" and (d) "labour relations or employee negotiations" with respect to the CAO's employment contract.

Carried

---

Moved By Gisele Pageau and Seconded By Malcolm Lamothe

Resol. 2018- 55

**BE IT RESOLVED THAT** the open session reconvenes at 6:39 p.m.

Carried

As a result of the Closed Session held, the Chair reported that there was direction given to the Mayor in relation to the CAO's employment contract.

---

## 10. Adjournment

Moved By Denny Sharp and Seconded By Mike Bigras

Resol. 2018- 56

**BE IT RESOLVED THAT** By-law 2018-13, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of French River at a meeting held on February 21, 2018 be read a first, second and third time and finally passed.

Carried

---

Moved By Dean Wenborne and Seconded By Malcolm Lamothe

Resol. 2018- 57

**BE IT RESOLVED THAT** the meeting be adjourned at 6:40 p.m.

Carried

---

---

**MAYOR**

---

**CLERK**

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2018-14**

BEING A BY-LAW TO ADOPT THE 2018 OPERATING AND CAPITAL BUDGET FOR  
THE MUNICIPALITY OF FRENCH RIVER

**WHEREAS** Section 290 of the *Municipal Act, 2001*, as amended, the Council of a local municipality shall in each year prepare and adopt estimates of all sums required during the year for the purposes of the municipality;

**NOW THEREFORE** the Council of the Corporation of the Municipality of French River enacts as follows:

1. That the estimates attached as Schedule “A” – Operating Budget are hereby adopted and form part of this By-law.
2. That the estimates attached as Schedule “B” – Capital Budget are hereby adopted and form part of this By-law.
3. That this by-law shall come into force and effect on the date of its final passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 7<sup>th</sup> DAY OF MARCH, 2018.**

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CLERK**

		Ontario Conditional Grants	Canada Conditional Grants	User Fees and Service Charges	Property Taxation	Rent / Use of TCAsset	Total Revenues	Salaries, Wages and Employee Benefits	Interest on Long Term Debt	Materials	Utilities	Contracted Services	Tele- communication	Representation	Advertising and promotion	Operating Leases	Rents and Financial Expenses	External Transfers	Transfer to Reserves	Inter- Functional Adjustments	Allocation of Program Support	TOTAL - Operating Expenses	Net Operating	Reserve Transact.	Net Cash Flow
General government																									
02400	Governance						\$ -			\$ 500		\$ 35,000		\$ 25,000	\$ 8,000							\$ 68,500	-68,500	\$ 20,000	-48,500
02500	Corporate Management						\$ -							\$ -								\$ -	0		0
02600	Program Support			\$ 80,000			\$ 80,000		\$ 1,592	\$ 20,000		\$ 189,670	\$ 8,800	\$ 30,000	\$ 5,000	\$ 8,000	\$ 3,500					\$ 266,562	-186,562		-186,562
02710	TCAsset Land					\$ 12,000	\$ 12,000									\$ 6,277						\$ 6,277	5,723		5,723
02715	TCAsset Building					\$ 190,000	\$ 190,000		\$ 155,356	\$ 10,000	\$ 87,000	\$ 10,000										\$ 262,356	-72,356		-72,356
02740	TCAsset Equipment						\$ -															\$ -	0		0
02765	TCAsset Parking Lots						\$ -															\$ -	0		0
02990	Subtotal	\$ -	\$ -	\$ 80,000	\$ -	\$ 202,000	\$ 282,000	\$ -	\$ 156,948	\$ 30,500	\$ 87,000	\$ 234,670	\$ 8,800	\$ 55,000	\$ 13,000	\$ 14,277	\$ 3,500	\$ -	\$ -	\$ -	\$ -	\$ 603,695	-321,695	20,000	-301,695
Protection services																									
04100	Fire						\$ -			\$ 7,500		\$ 15,000	\$ 5,000	\$ 8,000	\$ 2,000							\$ 37,500	-37,500		-37,500
04115	TCAsset Building - Fire						\$ -			\$ 6,000	\$ 20,000	\$ 6,000										\$ 32,000	-32,000		-32,000
04135	TCAsset Vehicles - Fire						\$ -			\$ 12,000		\$ 5,500										\$ 17,500	-17,500		-17,500
04140	TCAsset Equipment - Fire						\$ -			\$ 15,000		\$ 5,000										\$ 20,000	-20,000		-20,000
04200	Police	\$ 7,000		\$ 626,763			\$ 633,763											\$ 707,239				\$ 707,239	-73,476		-73,476
04400	Protective Inspection			\$ 15,000			\$ 15,000			\$ 1,000		\$ 500	\$ 1,400	\$ 3,500								\$ 6,400	8,600		8,600
04435	Vehicles						\$ -			\$ 3,500		\$ 1,000										\$ 4,500	-4,500		-4,500
04450	Building Services			\$ 54,500			\$ 54,500					\$ 116,000										\$ 116,000	-61,500		-61,500
04500	Emergency Measures						\$ -			\$ 500		\$ 3,000	\$ 1,500									\$ 5,000	-5,000		-5,000
04990	Subtotal	\$ 7,000	\$ -	\$ 696,263	\$ -	\$ -	\$ 703,263	\$ -	\$ -	\$ 45,500	\$ 20,000	\$ 152,000	\$ 7,900	\$ 11,500	\$ 2,000	\$ -	\$ -	\$ 707,239	\$ -	\$ -	\$ -	\$ 946,139	-242,876	0	-242,876
Transportation services																									
06110	Roads - Paved						\$ -			\$ 7,000		\$ 6,000										\$ 13,000	-13,000		-13,000
06115	Roads - Hard Surface Treated						\$ -			\$ 15,000												\$ 15,000	-15,000		-15,000
06120	Roads - Unpaved						\$ -			\$ 129,000		\$ 60,000										\$ 189,000	-189,000		-189,000
06130	Roads - Bridges and Culverts						\$ -			\$ 10,000		\$ 20,000										\$ 30,000	-30,000		-30,000
06140	Roads - Traffic Operations						\$ -			\$ 15,000		\$ 47,000										\$ 62,000	-62,000		-62,000
06210	Winter Control			\$ 10,000			\$ 10,000			\$ 90,000		\$ 112,500										\$ 202,500	-192,500		-192,500
06500	Street lighting						\$ -				\$ 10,000	\$ 2,000										\$ 12,000	-12,000		-12,000
06710	TCAsset Land						\$ -			\$ 10,000	\$ 20,000	\$ 1,500										\$ 31,500	-31,500		-31,500
06715	TCAsset Building						\$ -			\$ 30,000		\$ 15,000										\$ 45,000	-45,000		-45,000
06735	TCAsset Vehicles						\$ -			\$ 100,000		\$ 9,500										\$ 109,500	-109,500		-109,500
06740	TCAsset Equipment						\$ -			\$ 30,000		\$ 21,000	\$ 3,000	\$ 14,000								\$ 68,000	-68,000		-68,000
06980	Other Program Support			\$ 6,000			\$ 6,000															\$ -	6,000		6,000
06990	Subtotal	\$ -	\$ -	\$ 16,000	\$ -	\$ -	\$ 16,000	\$ -	\$ -	\$ 436,000	\$ 30,000	\$ 294,500	\$ 3,000	\$ 14,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 777,500	-761,500		-761,500
Environmental services																									
08100	Sanitary sewer system			\$ 104,500			\$ 104,500				\$ 9,500	\$ 95,000										\$ 104,500	0		0
08120	Wastewater treatment & dispo						\$ -															\$ -	0		0
08210	Urban storm sewer system						\$ -					\$ 2,000										\$ 2,000	-2,000		-2,000
08220	Municipal Drains	\$ 17,000					\$ 17,000					\$ 40,000										\$ 40,000	-23,000		-23,000
011931	Solid waste collection			\$ 15,200		\$ 300	\$ 15,500															\$ -	15,500		15,500
08500	Solid waste disposal			\$ 30,000			\$ 30,000		\$ 19,063	\$ 32,000		\$ 110,000										\$ 161,063	-131,063		-131,063
08600	Waste diversion	\$ 45,000		\$ 7,500			\$ 52,500					\$ 95,000										\$ 95,000	-42,500		-42,500
08715	TCAsset Building						\$ -			\$ 4,000	\$ 4,000	\$ 2,000										\$ 10,000	-10,000		-10,000
08740	TCAsset Equipment						\$ -			\$ 30,000		\$ 12,500										\$ 42,500	-42,500		-42,500
08980	Other Program Support						\$ -			\$ 8,000			\$ 3,500	\$ 6,000	\$ 15,000							\$ 32,500	-32,500		-32,500
08990	Subtotal	\$ 62,000	\$ -	\$ 157,200	\$ -	\$ 300	\$ 219,500	\$ -	\$ 19,063	\$ 74,000	\$ 13,500	\$ 356,500	\$ 3,500	\$ 6,000	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 487,563	-268,063		-268,063
Health services																									
10100	Public health services						\$ -											\$ 103,085				\$ 103,085	-103,085		-103,085
10300	Ambulance services			\$ 3,500			\$ 3,500					\$ 500						\$ 741,707				\$ 742,207	-738,707		-738,707
10400	Cemeteries			\$ 3,500			\$ 3,500			\$ 2,000		\$ 4,000		\$ 200								\$ 6,200	-2,700		-2,700
10715	TCAsset Building						\$ -															\$ -	0		0
10990	Subtotal	\$ -	\$ -	\$ 7,000	\$ -	\$ -	\$ 7,000	\$ -	\$ -	\$ 2,000	\$ -	\$ 4,500	\$ -	\$ 200	\$ -	\$ -	\$ -	\$ 844,792	\$ -	\$ -	\$ -	\$ 851,492	-844,492		-844,492
Social and family services																									
12100	General assistance						\$ -											\$ 417,080				\$ 417,080	-417,080		-417,080
12990	Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 417,080	\$ -	\$ -	\$ -	\$ 417,080	-417,080		-417,080
Recreation and cultural services																									
16100	Parks			\$ 5,600			\$ 5,600			\$ 2,500	\$ 1,500	\$ 500										\$ 4,500	1,100		1,100
16200	Recreation programs						\$ -															\$ -	0		0
16340	Recreation facilities			\$ 60,000	\$ 4,200		\$ 64,200			\$ 20,000	\$ 105,000	\$ 15,000	\$ 2,500	\$ 500								\$ 143,000	-78,800		-78,800
16400	Libraries						\$ -											\$ 143,000				\$ 143,000	-143,000		-143,000
16500	Cultural services		\$ 2,000				\$ 2,000			\$ 5,000												\$ 5,000	-3,000		-3,000
16510	Canada Day						\$ -															\$ -	0		0
16735	TCAsset Vehicles						\$ -			\$ 3,200	\$ 1,000											\$ 4,200	-4,200		-4,200
16740	TCAsset Equipment						\$ -			\$ 4,000	\$ 2,000											\$ 6,000	-6,000		-6,000
16765	TCAsset Parking Lots						\$ -															\$ -	0		0
16980	Other Program Support						\$ -			\$ 1,500		\$ 200	\$ 700	\$ 3,500								\$ 5,900	-5,900		-5,900
16990	Subtotal	\$ -	\$ 2,000	\$ 65,600	\$ 4,200	\$ -	\$ 71,800	\$ -	\$ -	\$ 36,200	\$ 109,500	\$ 15,700	\$ 3,200	\$ 4,000	\$ -	\$ -	\$ -	\$ 143,000	\$ -	\$ -	\$ -	\$ 311,600	-239,800		-239,800
Planning and development																									
18100	Planning and zoning						\$ -											\$ 53,000	\$ 8,400			\$ 61,400	-61,400		-61,400
18200	Commercial and industrial						\$ -															\$ -	0		0
18230	Ontario Conditional Grant						\$ -			\$ 16,000		\$ 4,000										\$ 20,000	-20,000		-20,000
18240	Community Promotion						\$ -															\$ -	0		0
18250	Edco Investment Alliance						\$ -															\$ -	0		0
18300	Residential development						\$ -															\$ -	0		0
18400	Agriculture and reforestation						\$ -															\$ -	0		0
18500	Tile drainage/shoreline assista			</																					

# Capital Budget 2018

Department	Item / Description	2018 Budget	2018 Reserve	Capital Grants (Gas Tax & OCIF)	Taxation Required
<b>Public Works</b>	Backhoe	\$ 135,000	\$ 135,000	\$ -	\$ -
	Replace Roof at Public Works building	\$ 60,000			\$ 60,000
	Street Lights	\$ 15,000			\$ 15,000
	Automatic Garage Doors Openers (2)	\$ 7,000			\$ 7,000
	RV Dumping Station	\$ 5,000			\$ 5,000
<b>Public Works/ Parks</b>	Sidewalk / Tractor	\$ 70,000	\$ 70,000		\$ -
<b>Roads</b>	Dokis, ACC Entrance	\$ 303,000	\$ 103,000	\$ 200,000	\$ -
	<b>Sub-Total for Public Works</b>	<b>\$ 595,000</b>	<b>\$ 308,000</b>	<b>\$ 200,000</b>	<b>\$ 87,000</b>
<b>Environmental</b>	Loader	\$ 175,000	\$ 175,000		\$ -
	Water filtration System	\$ 5,000			\$ 5,000
	Boiler for heating system	\$ 9,000			\$ 9,000
	<b>Sub-Total for Environmental</b>	<b>\$ 189,000</b>	<b>\$ 175,000</b>	<b>\$ -</b>	<b>\$ 14,000</b>
<b>Parks &amp; Recreation</b>	Dehumidifier	\$ 39,000	\$ -	\$ -	\$ 39,000
	Chairs & Tables	\$ 25,000	\$ 25,000		\$ -
	JC Park Upgrades	\$ 30,000	\$ 30,000		\$ -
<b>Cemeteries</b>	Noelville Columbarium	\$ 35,000	\$ 35,000		
	<b>Sub-Total for Parks &amp; Recreation</b>	<b>\$ 129,000</b>	<b>\$ 90,000</b>	<b>\$ -</b>	<b>\$ 39,000</b>
<b>Governance</b>	Complex HVAC Loan Top Reserves	\$ 45,309			\$ 45,309
	Ductwork Decommissioning	\$ 45,000			\$ 45,000
	Dell Server Power Edge T620	\$ 8,500	\$ 8,500		\$ -
	Dedicated Internet Connection to Building	\$ 20,000		\$ 14,000	\$ 6,000
	<b>Sub-Total for Governance</b>	<b>\$ 118,809</b>	<b>\$ 8,500</b>	<b>\$ 14,000</b>	<b>\$ 96,309</b>
<b>Fire</b>	SCBA's Year 3 of 3	\$ 18,783			\$ 18,783
	Pumper 1	\$ 15,455			\$ 15,455
	<b>Sub-Total for Fire</b>	<b>\$ 34,238</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 34,238</b>
	<b>Grand Total of All Departments</b>	<b>\$ 1,066,047</b>	<b>\$ 581,500</b>	<b>\$ 214,000</b>	<b>\$ 270,547</b>

<b>2018 Capital Reserves</b>	<b>\$ 209,783.00</b>
<b>Yearly Re-payment to reserves</b>	<b>\$ 60,764.00</b>

<b>Parks &amp; Recreation</b>	Canada 150 (Arena Project)	<b>\$ 260,000</b>	<b>\$ 160,000</b>	<b>\$ 100,000</b>	<b>N/A</b>
<b>Sanitary Sewers</b>	Clean Water and Wastewater Fund Application Infrastructure Plan Study	<b>\$ 100,000</b>	<b>\$25,000</b>	<b>\$ 75,000</b>	<b>N/A</b>
<b>Environmental</b>	Small Communities Fund Landfill Project	<b>\$ 480,000</b>	<b>\$ 159,984</b>	<b>\$ 319,968</b>	<b>N/A</b>
	<b>Capital Grand Total</b>	<b>\$ 1,906,047</b>	<b>\$ 926,484</b>	<b>\$708,968</b>	<b>\$270,547</b>

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

**BY-LAW 2018-15**

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF  
A NORTHERN ONTARIO INTERNSHIP PROGRAM AGREEMENT WITH THE  
NORTHERN ONTARIO HERITAGE FUND CORPORATION (NOHFC)

**WHEREAS** the Council of the Municipality of French River deems it desirable to execute a Northern Ontario Internship Program Agreement with the Northern Ontario Heritage Fund Corporation (NOHFC) to obtain financial assistance to hire a post-secondary graduate to fill an internship position in the Public Works Department.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:**

- 1) That the Mayor and Clerk are authorized to execute the Northern Ontario Internship Program Agreement with the Northern Ontario Heritage Fund Corporation (NOHFC).
- 2) The attached Agreement shall form part of this By-law.
- 3) That any By-law inconsistent with this By-law is hereby repealed.
- 4) This By-law shall come into force and take effect upon third and final reading.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 7<sup>th</sup> DAY OF MARCH, 2018.**

---

**MAYOR**

---

**CLERK**