



AGENDA / ORDRE DU JOUR
REGULAR COUNCIL MEETING / RÉUNION RÉGULIÈRE DU CONSEIL

Wednesday, November 21, 2018 at 6pm / mercredi le 21 novembre 2018 à 18h
Council Chambers / Salle du conseil

** Outgoing Council Members will be honoured at the end of this meeting **

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. **Reports and Items for Consideration / Rapports et sujets pour considération**
 - 5.1 **General Government / Gouvernement général**
 - 5.1.1 Resolution to adopt By-law 2018-53 to authorize the Council Code of Conduct (*from* p.3 *October 17th meeting*)
 - 5.1.2 Resolution to adopt By-law 2018-56 to amend the Employee Policy Manual to revise p.21 the following policies:
 - Alcohol and Drugs in the Workplace Policy
 - Drug and Alcohol Testing Policy
 - 5.2 **Finance / Finances (NIL)**
 - 5.3 **Public Works & Environment Services / Travaux public et services de l'environnement**
 - 5.3.1 Quarter Report - Public Works & Environmental Department p.25
 - 5.4 **Community Services / Services communautaires**
 - 5.4.1 Report - French River Public Library Board by Councillor Pageau p.28
 - 5.5 **Emergency Services and Public Safety / Services d'urgence et sécurité publique**
 - 5.5.1 Report - Manitoulin-Sudbury District Services Board by Councillor Wenborne p.29
 - 5.6 **Development & Planning / Développement et planification**
 - 5.6.1 Report - Revised Clean Yard By-law
 - Resolution to adopt Clean Yard By-law 2018-55 (repeal 2018-29) p.31
 - 5.7 **Correspondence / Correspondance**
 - 5.7.1 Resolution to donate \$300 for the Christmas Food Baskets, Comité des paniers de Noël p.43

6. Consent Agenda / Ordre du jour regroupé

6.1 Adoption of Minutes / Procès-verbaux adoptés

6.1.1 Regular Council Meeting held October 17, 2018 p.44

6.2 Receipt of Minutes / Procès-verbaux reçus (NIL)

6.3 Items for Consideration or Information / Items pour consideration ou information

6.3.1 Report - Monthly Disbursements for the months of July, August and September 2018
(under separate cover)

6.4 By-laws / Règlements (NIL)

7. Notices of Motion / Avis de motion

8. Announcement and Inquiries / Annonce et questions

8.1 Presentation to outgoing Members of Council

9. Closed Session / Session à huis clos

10. Adjournment / Ajournement

Resolution to adopt Confirmation By-law

Resolution to adjourn

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-53

**BEING A BY-LAW TO AUTHORIZE THE ADOPTION
OF A COUNCIL CODE OF CONDUCT**

WHEREAS Section 223.2 (1) of the *Municipal Act, 2001*, authorizes the municipality to establish codes of conduct for Members of the Council of the municipality and of local boards of the municipality;

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

1. That Council adopts the Council Code of Conduct for the Municipality of French River identified as Schedule "A" attached hereto and forming part of this by-law.
2. That the Council Code of Conduct shall apply to all Members of Council. This Code of Conduct also applies equally to all Members of Boards and Committees of the Municipality, whether or not a Member of that Board or Committee is also a Member of Council.
3. That Members of Council, Committee Members, and Board Members of the Municipality of French River shall acknowledge their receipt and understanding of the Council Code of Conduct by signing and dating the Acknowledgement of Understanding and Compliance form.
4. That any amendments to the Council Code of Conduct shall be acknowledged by Members of Council, Committee and Board Members of the Municipality of French River, by resigning and dating the Acknowledgement of Understanding and Compliance Form.
5. That this Council Code of Conduct shall apply to all future Members of Council, Members of Committees, and Board Members of the Municipality of French River.
6. That a vote of two-thirds of all Council Members be required to amend or repeal this by-law.
7. That this by-law shall come into full force and effect upon its passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 21st DAY OF NOVEMBER 2018.**

MAYOR

CLERK

Schedule ‘A’ - By-law 2018-53
Code of Conduct for Members of Council, Committees and Local Boards
of the Municipality of French River (“Members”)

1. Purpose and Policy Statement

The Council Code of Conduct is a public declaration of the principles of good conduct and ethics that are expected by Members.

Members are held to a high standard as leaders of the community and they are expected to become well informed on all aspects of municipal governance, administration, planning and operations and to carry out their duties in a fair, impartial, transparent and professional manner. A Code of Conduct aims to ensure public trust and confidence in the Municipality’s decision making and operations. Adherence to these standards will protect and maintain the Municipality’s reputation and integrity of its decision making process. In addition, it is meant to assist Members in understanding the standards of conduct that are expected of them so that they may fulfill their duty to act honestly and with care and diligence.

2. Statutory Provisions Regarding Conduct

This Council Code of Conduct operates along with and as a supplement to the existing statutes governing the conduct of members. The following provincial legislation governs the conduct of Members:

- a) The Municipal Act
- b) The Municipal Conflict of Interest Act (MCIA)
- c) The Municipal Elections Act (MEA)
- d) The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- e) The Ontario Human Rights Code (OHRC)
- f) The Provincial Offences Act (POA)
- g) The Criminal Code of Canada (CCC)
- h) The Occupational Health and Safety Act (OHS Act)
- i) The Accessibility for Ontarians with Disabilities Act (AODA)

3. Application

This Code of Conduct applies to all Members of Council. It also applies equally to all Members of Boards and Committees of the Municipality, whether or not a Member of that Board or Committee is also a Member of Council.

4. General Principles and Values

Members shall:

- a) respect the role of Council as set out in the *Municipal Act*;
- b) support the mission, vision and values of the Municipality;
- c) respect the decision-making process of Council by accurately communicating the decision reached by the majority of Council, even if they disagree with the outcome;
- d) maintain professionalism, integrity, respect, and trust;
- e) promote open, accountable and transparent local government; and
- f) encourage public respect for the Municipality, its by-laws and policies.

5. Definitions

In this Code of Conduct, the following terms have the meanings set out below:

- a) **“Chief Administrative Officer” or “CAO”** shall mean the employee who is responsible for exercising general control or management of the administration and affairs of the Municipality and other duties as directed by Council.
- b) **“Child”** includes a child born within or outside of marriage and includes an adopted child and a person to whom the Member has demonstrated a settled intention to treat as a child of his or her family.
- c) **“Closed/In-Camera Meeting”** means any meeting of Council, Committee of the Whole, Standing Committee or Board that is closed to the public in accordance with the *Municipal Act*.
- d) **“Confidential Information”** includes information in the possession of, or received in confidence by the Municipality, that the Municipality is prohibited from disclosing, that the Municipality is required to refuse to disclose, or that the Municipality chooses not to disclose, under MFIPPA, or other legislation or policy of the Municipality. Without limiting the generality of the foregoing, Confidential Information also includes all information concerning matters dealt with at Closed/In-Camera Meetings, information that is marked as "confidential", information obtained by the Member by virtue of their position as a Member that is not in the public domain, or information that is otherwise determined to be confidential by the Chief Administrative Officer, Clerk or as specifically declared by Council.
- e) **“Council”** means the Council of the Municipality of French River.
- f) **“Ethically”** means behaving in a manner characterized by honesty, fairness and equality in interpersonal relationships and with respect for the dignity and rights of other people.
- g) **“Family Member”** includes:
 - i. A Spouse of the Member;
 - ii. A Child of the Member;
 - iii. A Parent of the Member;
 - iv. A Sibling of the Member, whether by birth, marriage or adoption;
 - v. A Grandchild, grandparent, aunt, uncle, niece or nephew of the Member;
 - vi. A Parent-in-law of the Member; and
 - vii. Any person who lives with the Member on a permanent basis.
- h) **“Gift”** means any cash or monetary equivalent, fee, object of value, service, personal benefit or advantage, favour, travel and accommodation or entertainment. A gift does not include remuneration.
- i) **“Harassment”** includes, but is not limited to, engaging in a course of vexatious or unwanted comment or conduct that is known or ought reasonably to be known to be unwanted and includes Sexual Harassment as defined in the *Occupational Health and Safety Act*.

- j) **“Member”** includes the elected Head of Council, an elected member of Council and all members of Boards and Committees of the Municipality.
- k) **“Municipality”** means the Municipality of French River.
- l) **“Parent”** includes those persons who demonstrated a settled intention to treat as a child the Member, whether or not the Member is their natural child.
- m) **“Pecuniary Interest”** means an interest of the Member that is financial in nature.
- n) **“Spouse”** means a person to whom the Member is married or with whom the Member is living in a conjugal relationship outside of marriage.
- o) **“Staff”** includes anyone employed by the Municipality, including full-time, part-time, temporary, casual or seasonal Staff, contract Staff, students and volunteers. In accordance with the *Municipal Act*, Council Members are not considered employees of the Municipality.

6. Standards of Behaviour and Conduct

6.1 General Conduct

Members shall:

- a) treat members of the public, one another, and Staff with respect;
- b) ensure their work environment is free from discrimination, Harassment, bullying and intimidation;
- c) conduct themselves according to legislative and policy requirements;
- d) observe decorum and conduct themselves as outlined in the Procedure By-law;
- e) refrain from personal attacks on other Members, Staff, the public, or any other person.
- f) refrain from speaking in a manner that is discriminatory to any individual based on that person’s race, ancestry, creed, gender, sexual orientation, age, colour, marital status, or disability;
- g) acknowledge that only Council as a whole has the capacity to direct Staff including the CAO.

6.2 Confidentiality and Use of Information

- a) All information, including documentation or deliberations received, reviewed or taken Closed/In-Camera Meetings is considered Confidential Information, except as otherwise directed by Council;
- b) All information circulated in Closed/In-Camera Meetings whether or not it is marked confidential and/or privileged, shall be returned to the Clerk for destruction;
- c) Members shall not disclose or release by any means to any member of the public either in verbal or written form any Confidential Information acquired by virtue of their office, except when required by law or when authorized by Council or the CAO;

- d) Members shall keep all information that is circulated to Members confidential. Any documentation marked Confidential Information shall be kept securely until no longer required in the course of Municipal business and shall at that time be destroyed by the Member or returned to the office of the CAO for destruction;
- e) Requests for information should be referred to the Clerk to be addressed in conformity with the *Municipal Freedom of Information and Protection of Privacy Act*;
- f) Members will not use information gained in the execution of their duties that is not available to the general public for any purpose other than as directed by Council;
- g) Members shall not access or attempt to gain access to Confidential Information in the custody of the Municipality unless authorized by Council or the CAO;
- h) The obligation to keep information Confidential applies even if the Member ceases to be a Member for any reason.

6.3 Conduct at Meetings

Every Member shall conduct themselves with decorum and professionalism at all Council, Committee, Board and other meetings in accordance with the provisions of the applicable Procedure By-law, this code, and other applicable law.

6.4 Conduct at Public Events

Members may be requested to make public presentations outside of Council, Committee, Board and other meetings or to attend public events as representatives of the Municipality. At any such event, every Member shall conduct themselves with dignity and decorum, in a manner befitting of a representative of the Municipality.

6.5 Conflict of Interest

- 6.5.1 Members must be familiar with and comply with the *Municipal Conflict of Interest Act*, as amended. It is the responsibility of each Member, not Staff, to determine whether they have a direct or indirect pecuniary interest with respect to matters arising before Council, a Board or Committee. Each Member shall determine whether he or she has a direct or indirect pecuniary interest and shall at all times comply with the *Municipal Conflict of Interest Act*.
- 6.5.2 For purposes of this Code of Conduct, a pecuniary interest, direct or indirect, of a Family Member of the Member shall be deemed to also be the personal/pecuniary interest of the Member. All Members shall declare a conflict of interest where they or their Family Member has a pecuniary interest in a matter and shall take all of the actions prescribed in the *Municipal Conflict of Interest Act* as if the Act applied to that interest.
- 6.5.3 In addition to pecuniary interests, Members must perform their duties impartially, such that an objective, reasonable observer would conclude that the Member is exercising their duties objectively and without undue influence. Each Member shall govern their actions using the following as a guide:

- a) in making decisions, always place the interests of the taxpayers and the Municipality first and, in particular, place those interests before your personal interests and the interests of other Members, staff, friends, business colleagues or Family Members;
- b) interpret the phrase "conflict of interest" broadly and with the objective of making decisions impartially and objectively;
- c) if there is doubt about whether or not a conflict exists, seek the advice of the Integrity Commissioner or legal counsel;
- d) do not make decisions that create an obligation to any other person who will benefit from the decision;
- e) do not make decisions or attempt to influence any other person for the purpose of benefitting yourself, other Members, Staff, friends, business colleagues or Family Members, or any organization that might indirectly benefit such individuals;
- f) do not put yourself in the position where a decision would give preferential treatment to other Members, Staff, friends, business colleagues or Family Members, or any organization that might indirectly benefit such individuals; and

6.5.4 Direct or indirect personal interests do not include:

- a) a benefit that is of general application across the Municipality;
- b) a benefit that affects a Member or his or her Family Members, friends or business colleagues as one of a broad class of persons; or
- c) the remuneration of Council, a Member or benefits available to Council or Members.

6.5.5 Every Member has the following obligations:

- a) to make reasonable inquiries when there is reason to believe that a conflict of interest may exist;
- b) to make Council or the Board or Committee aware of the potential conflict of interest and where appropriate declare the interest;
- c) to refuse to participate in the discussion of Council, the Board or Committee and to not vote on the matter or seek to influence the vote of any other Member where a conflict of interest exists;
- d) to refuse to be involved in any way in the matter once the conflict is identified, including without limitation participating in meetings, facilitating meetings or introductions to Staff or Members or providing advice to any person that would materially advance the matter; and
- e) if the matter which creates the conflict of interest is discussed during a Closed/In-Camera Meeting, the Member may not attend that portion of the closed session where that matter is discussed.

6.5.6 Members shall not borrow money from any person who regularly does business with the Municipality unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

6.5.7 Members shall not act as a paid agent before Council or its committees, agencies or boards.

6.6 Gifts, Hospitality & Other Benefits

6.6.1 The objective of these policies is to ensure that Members make decisions based on impartial and objective assessments of each situation free from the influence of gifts, favours, hospitality or entertainment.

- 6.6.2 Any stipend paid to a Member is intended to fully remunerate the Member for their service to the Municipality.
- 6.6.3 Members are prohibited from soliciting, accepting, offering or agreeing to accept any gifts, commissions, hospitality, rewards, advantages or benefits of any kind, personally or through a Family Member or associate (business or otherwise), that is connected directly or indirectly with the performance of duties of office or could reasonably be construed as being given in anticipation of future, or recognition of past, special consideration by the Member.
- 6.6.4 This policy does not preclude Members from accepting:
- a) token gifts, souvenirs, mementoes or hospitality received in recognition for service on a committee, for speaking at an event or for representing the Municipality at an event;
 - b) political contributions that are otherwise offered accepted and reported in accordance with applicable law.
 - c) food and beverages at meetings, banquets, receptions, ceremonies or similar events.
 - d) food, lodging, transportation, entertainment provided by other levels of governments, by other local governments or by local government boards or commissions;
 - e) a stipend from a board or commission that the Member serves on as a result of an appointment by Council;
 - f) reimbursement of reasonable expenses incurred in the performance of office;
 - g) reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations; **\$50 to be further discussed?**
 - h) gifts of a nominal value less than **\$50** that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of the office; and
 - i) services provided without compensation by persons volunteering their time for election campaign, provided the services are properly valued in accordance with the *Municipal Elections Act*.

Changed to Clerk since the Clerk is responsible to report to Council.

- 6.6.5 Where it is not possible to decline unauthorized gifts, hospitality or other benefit, Members shall report the matter to the **Clerk**. The gift shall become the property of the Municipality, and the **Clerk** may require that the gift be retained by the Municipality or be disposed of for charitable purposes in **Council's** sole discretion.

Council discretion – unnecessary potential for pressure on CAO

- 6.6.6 Members who have accepted a Gift in accordance with section 6.6.4 shall file a disclosure statement citing the nature of the Gift and the section 6.6.4 exception with the Clerk within 30 days of receipt. The disclosure shall also contain details of the circumstances in which the Gift was received, and the estimated value. The Clerk will report to Council on a monthly basis a summary of Gifts received and the nature of the exceptions.

6.7 Interaction with Staff

- 6.7.1 Members shall not:

- a) publicly criticize or threaten Staff in any way that questions their professional reputation, competence or credibility;
- b) interfere with Staff or the CAO's performance of their duties;
- c) compel Staff to engage in partisan political activities or be subjected to threats of discrimination for refusing to engage in such activities; or

- d) use their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any Staff member with the intent of interfering with Staff duties.

6.7.2 Operational inquiries and complaints received from the public shall be addressed by Members as follows:

- a) Members who are approached by the public with inquiries/complaints regarding operational matters should encourage the party to contact the appropriate department for review/resolution;
- b) where the member of the public is reluctant to contact the department directly, the Member should take the person's name, phone number and details of the inquiry/complaint and advise them that the matter will be referred to the CAO for review/resolution;
- c) members of the public should be encouraged to provide their issue/matters of concern in writing to the appropriate department;
- d) where the inquiry/complaint is not resolved to the satisfaction of the member of the public, the Member shall refer the member of the public to the Municipality's complaint policy for any further action, or place the matter on an agenda to be dealt with by Council or the appropriate Committee.

6.7.3 Members shall recognize and respect that many members of Staff are bound by professional associations to a code of ethics and professional conduct and that they provide their reports and recommendations objectively, in the best interests of the Municipality and within the requirements of their profession.

6.7.4 Council, acting as a whole, can dictate, through the CAO, that Staff perform such duties as are necessary for the efficient management of the affairs of the community, and/or research such matters as the Council deems necessary. Individual Council members do not have authority to direct Staff.

6.7.5 Board and Committee Members do not have the authority to direct Staff, with the limited exception of any Staff member assigned by Council to that Board or Committee. Ultimately, Council retains the discretion to assign, remove and direct Staff who provide assistance to any Board or Committee.

6.7.6 The role of the CAO and Department Heads is to direct the day to day management of the Municipality and assign duties to the Staff placed under their supervision. To encourage the efficient management of the Municipality, individual Members must be cognizant of that fact and comply with the following:

- a) Members will respect and adhere to the policies set by Council, and will under no circumstances take it upon themselves, individually, to circumvent established policies.
- b) Council, as a body, and Members, as individuals, will liaise with the CAO, Treasurer, Department Heads, or Supervisors only. This requirement is not designed to interfere with the normal flow of information with those Staff members (Administrative Assistants, Clerk, Committee Secretaries) who have been assigned the responsibility of providing information to Members such as meeting times, copies of documents, information on standard operating procedures, etc.

- c) Questions or issues surrounding operational concerns or complaints, excluding the basic issues covered in s. 6.7.2 above, should be directed to the Department Head or Supervisor.
- d) Members who still have concerns about operational issues, after addressing them with the Department Head or Supervisor, should raise these concerns with the CAO.
- e) Members who still have concerns about operational issues after addressing them with the CAO should raise these concerns at the appropriate Committee and/or Council.
- f) **Should information be required by individual Council Members, a request must be made of the appropriate Department Head, with a copy to the CAO. The Department Head will either respond directly, with a copy to the CAO or discuss with the CAO on who is the appropriate Staff member to respond, whichever is appropriate. This practice ensures that the CAO is aware of the request and/or that the request is addressed in a timely manner in the event the Department Head is absent or in the case of an urgent matter.**
- g) **Information requests that are time intensive should be approved by Council.**

f) Changed wording to reflect current and desired practice and explain reasoning.

g) Simplified wording

6.8 Expenses

- 6.8.1 Members are required to adhere to any relevant policies, procedures and guidelines with respect to any expenses included in the budget (such as, but not limited to: mileage reimbursement, conference and seminar attendance, and corporate promotional products).
- 6.8.2 Falsifying of receipts or signatures by a Member is a serious breach of this Code of Conduct and the Criminal Code of Canada and could lead to prosecution.

6.9 Use of Municipal Property and Resources

- 6.9.1 Members may only use municipal property, equipment, services or supplies of consequence for purposes associated with the discharge of official duties or associated community activities to the extent such resources are not otherwise available to the general public.
- 6.9.2 Members will comply with corporate policies related to the use of municipal assets, including but not limited to municipal vehicles, municipally owned computers, internet and email.
- 6.9.3 Members will not seek or gain personal benefit from municipal services, or from the use of municipally developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the Municipality.

6.10 Media and Public Communications

- 6.10.1 Information related to decision and resolutions of Council, a Board or Committee, as the case may be, will normally be communicated to the community by the Head of Council (Mayor), the Chair of the Board or Chair of the Committee, as the case may be, or his or her designate.
- 6.10.2 Members will accurately communicate the decisions of Council/Committee/Boards, even if they disagree with the majority decision, and by doing so affirm the respect for and integrity in the decision making process of Council, Committees and Boards. A Member may state that he/she did not support the decision, or voted against the decision, and may give reasons why.
- 6.10.3 Members at all times shall refrain from speculating or reflecting upon the personal motives of

other Members of Council or Staff, or being unduly judgmental or critical of other members or of Staff when communicating with the media or the public.

- 6.10.4 If a Member is involved in an issue outside the Member's own ward, the Member shall inform the Ward Councillor of such involvement and shall make reasonable efforts to invite the Ward Councillor to any meetings in conjunction therewith unless:
- a) the issue is clearly of Municipality-wide significance and the Members shall therefore advise Council as a whole, or;
 - b) the Member is the Chair of the Committee handling the matter or the Mayor.

7. Municipal Elections

- 7.1 Members of Council must conduct themselves in accordance with the provisions of the *Municipal Elections Act*, in addition to legislation and policies in place during their term of office.
- 7.2 Members of Council shall respect the role of the Clerk and Staff in the election process, shall not interfere with the Clerk or designate's discharge of their duties during the election process, and understand that their role is to ensure that all candidates are treated equally.
- 7.3 The use of municipal resources, both actual municipal property and Staff time, for election-related activity is strictly prohibited. The prohibition applies to both the promotion and opposition to the candidacy of a person for elected office.
- 7.4 Election-related activity applies not only to a Member's personal campaign for office, but also other campaigns for municipal, provincial and federal office.

8. Integrity Commissioner – Advice and Complaint Process

8.1 Advice

- 8.1.1 Members may request advice or opinions from the Integrity Commissioner with respect to:
- a) the obligations of the Member under the *Municipal Conflict of Interest Act*;
 - b) the obligations of the Member under this Code; and
 - c) the obligations of the Member under a procedure, rule or policy of the Municipality governing the ethical behaviour of the Member.
- 8.1.2 Every request for advice or opinion shall be submitted in writing to the Integrity Commissioner, and the Integrity Commission shall advise the Clerk that a request has been received.
- 8.1.3 The Integrity Commissioner shall not provide to any Member any advice or opinion with respect to the obligations of another Member.
- 8.1.4 Members shall be mindful of the cost to the Municipality to obtain the advice or opinion of the Integrity Commissioner and shall not abuse this entitlement.
- 8.1.5 The advice and opinions received by any Member are personal to the Member and are

considered confidential. No opinion or advice may be shared by the Integrity Commissioner without the written permission of the Member who requested the opinion or advice. The Member may grant permission to share part of an opinion or advice, but in circumstances where the member shares only a portion of an opinion or advice the Integrity Commissioner may release all or a part of the opinion or advice without the consent of the Member.

- 8.1.6 Council may **recomm**^{replacing the word 'require'}end any Member to undertake training with the Integrity Commissioner where Council determines that the Member has requested opinions and advice more frequently than is reasonable in the circumstances. The nature of the training will be to better explain the Member's obligations under this Code of Conduct and the *Municipal Conflict of Interest Act* to enable the Member to govern his or her conduct without seeking advice unnecessarily.

8.2 Role of the Integrity Commissioner

- 8.2.1 The Integrity Commissioner shall be appointed by By-law of the Municipality.
- 8.2.2 The Integrity Commissioner shall operate independently of Council in accordance with the authority and powers granted by the Municipal Act and the Public Inquiries Act.
- 8.2.3 The Integrity Commissioner may delegate his or her duties and powers to any person, other than a Member. The delegation shall be in writing, shall be disclosed to the Clerk and shall set out the precise delegation, including the duration of the delegation.
- 8.2.4 Any delegation shall be at the sole discretion of the Integrity Commissioner, provided that the delegate is qualified and capable of independently undertaking the work.
- 8.2.5 The Integrity Commissioner shall make an assessment prior to undertaking any investigation as to whether the complaint gives rise to the need for another entity to undertake an investigation. In those circumstances where the allegations disclose a potential Criminal Code offence or the breach of other legislation (other than the Municipal Conflict of Interest Act), the Integrity Commissioner shall refer the investigation to the appropriate entity and shall not conduct his or her own investigation unless the entity determines that no investigation is required.
- 8.2.6 The Integrity Commissioner shall prepare and submit to Council an Annual Report that shall include at a minimum:
- a) a break-down of costs incurred for the following categories of work performed (advice/investigations/dispute resolution/training);
 - b) a summary of the nature of requests made and the resolution of the matters, without providing any confidential information in the Report; and
 - c) any recommendations for improvements to this Code or processes or any procedure, rule or policy of the Municipality governing the ethical behaviour of the Member.

8.3 Informal Complaint Process

- 8.3.1 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying behaviour or an activity that they believe violates this Code of Conduct or sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*.
- 8.3.2 Any individual who has identified or witnessed behaviour or activity by a Member that appears to be in contravention of this Code of Conduct or sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* may address their concerns in the following manner and in accordance with section 8.5:

- a) Advise the Member of their belief that their behaviour or activity contravenes this Code of Conduct or sections 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act;
- b) Encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to avoid future occurrences of the prohibited behaviour or activity;
- c) If applicable, confirm to the Member the satisfaction or dissatisfaction with his or her response to the concern identified;
- d) Keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information, including steps taken to resolve the matter;
- e) If not satisfied with the response received through the informal process, consider the need to pursue the matter in accordance with the formal complaint through the Integrity Commissioner, as outlined in this Code of Conduct.

8.4 Formal Complaint Process

8.4.1 Any individual who has identified or witnessed behaviour or activity by a Member that they believe is in contravention of this Code of Conduct or sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* may submit a formal complaint to the Clerk of the Municipality in accordance with the following conditions and section 8.5:

- a) All formal complaints must be made using the prescribed complaint form and shall be dated and signed by the complainant.
- b) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Code of Conduct or sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*, list any witnesses, and include any evidence in support of the complaint. The Integrity Commissioner may request additional information from the complainant or other relevant persons prior to making an assessment.

8.4.2 If the Commissioner has not completed an investigation before nomination day for a regular election, he or she shall terminate the inquiry on that day.

8.4.3 If an inquiry is terminated under section 8.4.2, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election, the person or entity who made the request or the member or former member whose conduct is concerned makes a written request to the Integrity Commissioner that the inquiry be re-commenced.

8.4.4 The following rules apply during the period of time starting on nomination day for a regular election, and ending on voting day in a regular election (the "Election Period"):

- a) There shall be no requests for an inquiry about whether a Member has contravened this Code of Conduct or sections 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act;
- b) The Commissioner shall not report to Council about whether, in his or her opinion, a Member has contravened this Code of Conduct or sections 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act; and
- c) Council shall not consider whether to impose any penalties on a Member.

8.4.5 The Clerk shall forward all complaints to the Integrity Commissioner. The Clerk shall also provide notice to Council by way of confidential internal communication that a complaint has been filed, but no details of the complaint shall be provided other than the fact that a complaint has been received, and whether it is a complaint under this Code of Conduct, the *Municipal Conflict of Interest Act* or other policy.

- 8.4.6 If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation and, where this becomes apparent in the course of an investigation, shall terminate the investigation. The Integrity Commissioner shall communicate this position in writing to the complainant and the Member identified in the complaint.
- 8.4.7 Any person who has reasonable grounds to believe that a Member has breached this Code of Conduct may proceed with a complaint and request an investigation. Complaints must be submitted within ninety (90) days after the alleged violation occurred or the alleged violation came to the attention of the complainant. No complaint may be filed under any circumstances where the alleged violation occurred more than six (6) months prior to the complaint being filed.

8.5 Complaints Under the Municipal Conflict of Interest Act

- 8.5.1 Complaints under sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* may only be submitted on or after March 1, 2019 by an elector as defined in section 1 of the *Municipal Conflict of Interest Act*, or a person demonstrably acting in the public interest, by filing the complaint with the Clerk the prescribed form.
- 8.5.2 No complaint under section 8.5.1 may be submitted more than six (6) weeks after the complainant became aware of the alleged contravention.
- 8.5.3 A complaint under sections 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act may only be submitted in accordance with this section and section 8.4 above.
- 8.5.4 In the event that a complainant becomes aware of the alleged contravention within the period of time starting six (6) weeks before nomination day in an election year, the complainant may submit a complaint within six (6) weeks after the day after voting day, provided that the complainant includes in their written request for an investigation a statutory declaration attesting to the fact that the complainant became aware of the contravention not more than six (6) weeks before the date of the request, or in the case where a complainant became aware of the alleged contravention prior to nomination day, a declaration that the facts were not known to the complainant more than six (6) weeks prior to nomination day.
- 8.5.5 Where an investigation has not been completed before nomination day in an election year, the Integrity Commissioner shall terminate the investigation on that day.
- 8.5.6 An investigation terminated pursuant to subsection 8.5.5 shall not be recommenced unless the person who made the request, or the Member whose conduct is at issue, applies in writing to the Integrity Commissioner to re-commence the investigation within six (6) weeks after voting day.
- 8.5.7 The Integrity Commissioner shall complete the investigation within 90 days of receipt of the complaint, unless the investigation is terminated in accordance with subsection 8.5.5.
- 8.5.8 The Integrity Commissioner may, after completing an investigation, apply to a judge in accordance with the *Municipal Conflict of Interest Act* for a determination under the Act. Prior to making an application to court, the Integrity Commissioner shall present to Council a request to make the application and allow Council to provide recommendations to the Integrity

Commissioner as to whether such an application should be made. The Integrity Commissioner is not bound by the advice or recommendation of Council and shall refer the matter to a judge in his or her sole discretion.

8.6 Complaints Outside Integrity Commissioner Jurisdiction

If the complaint is not, on its face, a complaint with respect to non-compliance with this Code of Conduct or the *Municipal Conflict of Interest Act* or the complaint is covered by other legislation or complaint procedure under another policy, the Integrity Commissioner shall refer the complaint to the appropriate entity for investigation, advise the complainant in writing, suspend the investigation until after the matter has been finally disposed of, and report the suspension of the investigation to Council.

8.7 Opportunities for Resolution

Following receipt and review of a formal complaint, or at any time during the investigation, where the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued, and both the complainant and the Member agree, efforts may be pursued as per Section 8.3 to achieve an informal resolution at the discretion of the Integrity Commissioner.

8.8 Investigation

- 8.8.1 If a complaint has been identified as being within the Integrity Commissioner's jurisdiction and not rejected in accordance with this Code or the *Municipal Conflict of Interest Act*, the Integrity Commissioner shall commence an investigation.
- 8.8.2 The Clerk shall inform Council of the Integrity Commissioner's decision to investigate.
- 8.8.3 The Integrity Commissioner shall provide a copy of the complaint and any supporting materials to the Member whose conduct is in question with a request that any response to the allegation(s) be provided in writing to the Integrity Commissioner within ten (10) days.
- 8.8.4 The Integrity Commissioner shall provide a copy of any response from the Member to the complainant with a request for any response to be provided in writing to the Integrity Commissioner within ten (10) days.
- 8.8.5 The Integrity Commissioner shall provide a copy of any response provided by the complainant to the Member with a request for any response to be provided in writing to the Integrity Commissioner within ten (10) days.
- 8.8.6 If necessary, after reviewing the submitted materials, the Integrity Commissioner may speak to anyone, access and examine any other documents or electronic materials and may enter any Municipal work location relevant to the complaint for the purpose of investigation and potential resolution and exercise all powers granted by the *Municipal Act* for this purpose.
- 8.8.7 The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction, delay or retaliation encountered during the investigation.
- 8.8.8 Reasonable extensions to the above time lines may be granted by the Integrity Commissioner.

8.9 Final Report

- a) The Integrity Commissioner shall report to Council, the Complainant and the Member generally no later than 90 days after the official receipt of the complaint (including a complaint under the *Municipal Conflict of Interest Act*). If the investigation process takes more than 90 days, the Integrity Commissioner shall provide an interim report and must advise Council of the date the report will be available.
- b) If during the investigation process, the complaint is resolved, the Integrity Commissioner shall report to Council outlining the findings, the terms of any resolution and any recommended action within thirty (30) days.
- c) If the report of the Integrity Commissioner finds that a breach of the Code has occurred, the Integrity Commissioner shall report his or her findings to Council, including a recommendation as to the imposition of a penalty or sanction.
- d) If the report of the Integrity Commissioner finds that there has been no breach of the Code, or that a breach occurred, however, the Member took all reasonable measures to prevent it, or the breach committed was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall set this out in a report to Council, the Member involved and to the complainant.
- e) Where a Member has sought and followed advice from the Integrity Commissioner and is subsequently the subject of a complaint, the Integrity Commissioner may refer to the earlier advice and, provided that the facts as set out in the earlier advice are still applicable, determine in a summary manner that there has been no breach of this Code of Conduct or the *Municipal Conflict of Interest Act*.
- f) Council shall consider the report of the Integrity Commissioner within thirty (30) days of it being received by the Clerk and shall take action it considers appropriate with regard to the recommendations of the Integrity Commissioner.

8.10 Confidentiality of Complaint Documents

- a) The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where this does not interfere with the course of any investigation, except as required by law and as required by this complaint protocol.
- b) The Integrity Commissioner shall retain all records related to the complaint and investigation.
- c) The Clerk shall ensure confidentiality is maintained during and after the Integrity Commissioner's investigation, with the limited exception of the Integrity Commissioner's Report, which shall be made public as directed by Council.

8.11 Enforcement and Sanctions

- 8.11.1 Every Member shall comply with this Code of Conduct and sections 5. 5.1 and 5.2 the *Municipal Conflict of Interest Act*. Breaches may be investigated by the Integrity Commissioner in accordance with this Code, the *Municipal Act* and the *Municipal Conflict of*

Interest Act, and Council shall determine whether to impose any penalty or sanction on a Member found to have breached any provision of this Code of Conduct or sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*.

8.11.2 Every Member shall cooperate with an investigation carried out by the Integrity Commissioner.

8.11.3 The *Municipal Act* authorizes Council to impose one or more of the penalties listed below, if so desired, on a Member that has contravened this Code of Conduct or sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*:

- 1) A reprimand;
- 2) Suspension of the remuneration paid to the Member in respect of his or her services as a Member of Council or local board, as the case may be for a period of up to 90 days.

8.11.4 The Integrity Commissioner may also recommend that Council impose one of the following additional actions:

- a) Written or verbal public apology;
- b) Removal from membership of a Committee or Board.
- c) Removal as Chair of a Committee or Board.
- d) Ask the Member to repay or reimburse the compensation received.
- e) Ask the Member to return property or reimburse for the value of it.
- f) Any other fair and reasonable sanction given the circumstances.

9. Acknowledgement of Understanding and Compliance with this Code of Conduct

The undersigned Member of Council, Committee, and/or Board of the Municipality of French River hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. 2018-53 and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Municipality of French River, and a copy of this signed form was retained by the Member themselves.

Printed Name of Member

Signature of Member

Date

Signature of Clerk or designate (as witness)

Code of Conduct Formal Complaint Form and Affidavit

Complainant Information		
Name:		
Mailing Address:		
City:	Province:	Postal Code:
Home Telephone:	Cell Number:	
Email address:		

Please note that it is an offence under the Criminal Code of Canada to knowingly swear/affirm a false affidavit.

I, _____ (full name) of the
 _____ (municipality of residence) in the
 Province of Ontario make oath and say (or affirm):

1. I have personal knowledge of the facts as set out in this affidavit. *(insert reasons e.g. I work for... I attended a meeting at which... etc.)*

2. I have reasonable and probable grounds to believe that: (specify name of Member)

has contravened section _____ (specify section(s)) of the Code of
 Conduct for Members of Council. The particulars are as follows: (Please provide information such as
 date, time and location of conduct, names of all persons involved, including witnesses, and information
 as to how they can be reached. Attach additional pages if necessary.):

3. This affidavit is made for the purpose of requesting that this matter be investigated and for no
 improper purpose.

SWORN (or AFFIRMED) before me at the (Town, Municipality, etc)

_____ in the Province of Ontario on the _____ day
 of _____, 20_____.

Signature (to be witnessed by Commissioner)

A Commissioner, etc.

Municipal Conflict of Interest Act Complaint Form and Affidavit

Complainant Information		
Name:		
Mailing Address:		
City:	Province:	Postal Code:
Home Telephone:	Cell Number:	
Email address:		

Please note that it is an offence under the Criminal Code of Canada to knowingly swear/affirm a false affidavit.

I, _____ (full name) of the
_____ (municipality of residence) in the
Province of Ontario make oath and say (or affirm):

1. I have personal knowledge of the facts as set out in this affidavit. (insert reasons e.g. I work for... I attended a meeting at which... etc.)

2. I have reasonable and probable grounds to believe that: (specify name of Member)

_____ (specify section(s)) of the
Municipal Conflict of Interest Act -i.e. section 5, 5.1 and/or 5.2). The particulars are as follows: (Please provide information such as date, time and location of conduct, names of all persons involved, including witnesses, and information as to how they can be reached. Attach additional pages if necessary.):

3. This affidavit is made for the purpose of requesting that this matter be investigated and for no improper purpose.

SWORN (or AFFIRMED) before me at the (Town, Municipality, etc)

_____ in the Province of Ontario on the _____ day
of _____, 20_____.

Signature (to be witnessed by Commissioner)

A Commissioner, etc.

CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-56

BEING A BY-LAW TO AMEND BY-LAW 2016-19,
THE EMPLOYEE POLICY MANUAL

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

- 1) That the following policies (as attached) of the Employee Policy Manual be amended:
 - Alcohol and Drugs in the Workplace
 - Drug and Alcohol Testing
- 2) That any previous By-law and/or Resolution, or parts thereof, in conflict with or contrary hereto or inconsistent herewith, be hereby repealed.
- 3) That 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 21st DAY OF NOVEMBER, 2018.**

MAYOR

CLERK

POLICY:	Alcohol and Drugs in the Workplace
Section:	Health and Safety
Effective Date:	June 8, 2016
Most Recent Revision:	<u>November 21, 2018</u>

SCOPE

This policy applies to all employees.

POLICY

The policy of the Municipality of French River is to ensure the safety of all employees by imposing strict and specific limits on the consumption or effects of alcohol in the workplace.

PROCEDURE

No employee shall consume alcohol or use drugs while working. This includes lunch hours and breaks. Alcohol is not permitted on the premises at any time with the exception of social activities approved by Council that will not take place during normal working hours. If it is determined that an employee has been consuming alcohol during work hours, that employee shall be disciplined up to and including termination.

In addition, employees will not be permitted to work if they attend work in a “hung over” state or if the supervisor can smell alcohol on their person.

While attending any-work related social function, either on or off the property, the employee shall be responsible for consuming alcohol responsibly. No employee shall drive any type of motor vehicle after the consumption of alcohol. The Municipality will arrange or reimburse employees for alternate transportation where the individual is not in a position to operate a motor vehicle.

Prohibited Behaviour

- a) It is a violation of this policy for any employee to use, possess, sell, trade, or offer for sale illegal drugs and/or illegal substances in the workplace.
- b) It is a violation of this policy for any employee to consume, sell, or offer for sale alcohol in the workplace or on the premises unless it is a special event for which a liquor license is obtained.
- c) It is a violation of this policy for anyone to report to work under the influence of illegal drugs or alcohol. Under the influence can be defined as a condition in which an employee is affected by drugs or alcohol in any detectable manner.
- d) It is the responsibility of the Municipality’s supervisors to confront employees whenever they see changes in performance or behaviour that suggests an employee is under the influence of alcohol or other drugs. Everyone shares the responsibility for maintaining a safe work environment, and co-workers should encourage anyone who uses alcohol or other drugs in the workplace to seek help.
- e) Any employee who manufactures, distributes, sells, attempts to sell, or transfers illegal drugs on Municipality premises or while on municipal business will be terminated for cause.
- f) Any employee who is found to be in violation of this policy will be subject to discipline.

As part of the benefit program, employees have access to an Employee Assistance Program (EAP). If additional information is desired regarding the EAP, please contact the supervisors.

Employers Responsibility

- a) Create and annually review the Substance Abuse Policy.
- b) Ensure all Management, full-time, part-time, and casual employees, students, volunteers, and Council, required to be on Municipal property are trained on this policy and adhere to it.
- c) Implement the policy as required.
- d) Provide information on drug and alcohol abuse as well as how to get help with a substance abuse problem to all employees, students, volunteers, members of Council through training sessions, or safety talks.
- e) Maintain the confidential nature of medical records, treatment plans and all other information of individuals with substance abuse problems.
- f) Request drug and/or alcohol testing where required to do so in accordance with this policy and will arrange for such testing.
- g) Assess an employee's ability to safely or satisfactorily perform their duties, and if found to be impaired by drugs or alcohol, immediately take such steps as are necessary to prevent the person from causing any injury to him/herself or others, and may, if necessary, place the employee on a temporary suspension.
- h) Make initial assessments of whether employee's impairment as a result of consumption of prescription drugs is likely to jeopardize the safety of the employee, co-workers, or members of the public.

Employees Responsibility

- a. Comply with all aspects of this policy by not using drugs or alcohol immediately before and/or while at work for the Municipality.
- b. Report any contravention of this policy to a supervisor/manager.
- c. Notify their supervisor/manager immediately if they are under a medical program of treatment which requires the consumption of drugs, including medical marijuana, that may cause impairment.
- d. If required, obtain proof that such use of prescription drugs is necessary and recommended by a qualified medical practitioner for the treatment of a medical condition or disability.
- e. Employees who suspect that they have an alcohol or drug dependency are encouraged to seek advice and to follow appropriate treatment.
- f. While attending any work-related social function, either on or off the property, the employee shall be responsible for consuming marijuana and/or alcohol responsibly. No employee shall drive any type of motor vehicle after the consumption of marijuana and/or alcohol.

Employees are encouraged to work with Human Resources to accommodate any employee on a medical treatment plan involving the consumption of drugs, or an employee who suffers from drug or alcohol dependency, up until the point of undue hardship.

POLICY:	Drug and Alcohol Testing
Section:	Health and Safety
Effective Date:	June 8, 2016
Most Recent Revision:	<u>November 21, 2018</u>

SCOPE

This applies to all employees.

POLICY

Use of or working under the influence of drugs and alcohol or any other substance that might impair an employee's ability to work safely is strictly prohibited.

The Municipality will not conduct drug and alcohol testing at any time unless under the following conditions:

- The conditions of the job are such that any impairment can cause the working conditions to be unsafe.
- Where there has been a safety-related accident that requires employees involved to take a drug test as part of the safety investigation

Employees who are prescribed or using Cannabis or any other prescribed drug for medical reasons are encouraged to work with their supervisor for any workplace accommodations necessary to the employee.

All information regarding drug testing shall be kept in confidence and shall not be stored in the employee's personnel or health file.

PROCEDURE

If a candidate is offered a job in a position that requires intense concentration and is safety sensitive, as part of the job offer, the employee may be required to submit to testing for drug and alcohol.

When the results are received, the candidate will then meet with their Supervisor to discuss the results. If the results positively identify drug and alcohol use, the job offer will be withdrawn for reasons of safety as the candidate would not be deemed safe enough to perform the duties of the job.

After a workplace accident in which the investigating supervisor suspects that drug and alcohol abuse may have contributed to the accident, the employee involved may be required to take a drug and alcohol test. The results of the test will become part of the investigation report which will be kept confidential. An employee refusing a drug test in these conditions will be deemed to have failed the test or subject to discipline.

If the Municipality is accommodating an employee with rehabilitation assistance, the employee may be required to undergo drug or alcohol testing to demonstrate their fitness to return to work or to demonstrate their ability to perform the essential duties of the job.

In all cases, employees will be asked to provide written consent to the testing and the release of results to the Municipality.



Municipality of French River

Report PW/ENV-03-2018 Of the Public Works and Environmental Services Department For Consideration by Council

RE:3rd Quarter 2018 Activity Report

OBJECTIVE: To update Council on the initiatives, activities and statistics of the Public works and Environmental Services during the 3rd Quarter including annual performance measures.

BACKGROUND:

The quarterly report has been developed to provide interim updates on activities as an ongoing effort to be able to communicate the activities, initiatives and impact of the Department to Council and ratepayers.

ANALYSIS:

The Public Works department oversees the rehabilitation and development of the network of road infrastructures at the best possible cost throughout the municipality, and provides for the efficient and safe movement of people and merchandise. Furthermore, the department oversees maintenance of the road network (over 180 kilometers). It provides for general standards in snow removal, street cleaning, road signage and lighting, as well as transportation and traffic policies. The department is also responsible for the collection of solid waste (garbage) and recyclable materials, and oversees the smooth operations at the landfill site.

LINKS TO STRATEGIC PLANS:

- Provide safe travel for all road users.
- Ensure environmental compliance and efficient waste collection.
- Provide beautiful places for the community to gather.

ATTACHMENTS:

- Public Works and Environmental Services Department – 2018, 3rd Quarter Report

Respectfully submitted:

Robert Martin
Acting Manager
Public Works/Environmental Services
Date: November 16, 2018

Approved:

Marc Gagnon
Chief Administrative Officer

**Public works and Environmental Services
2018 Third Quarter Report**

Quarterly statistics Public Works

Description	Q1	Q2	Q3	Q4	2018 YTD	2017 Totals
Litigation/Risk Mitigation : legal (lawsuits, compliance, health and safety infractions) Road access, washout	1	0	0		1	0
Work orders for operational priorities Vehicle breakdowns (only tracked after 24 hours)	2	1	1		4	8
Work orders for minimum maintenance standards	-	-	-	-		-
Included: thawing frozen culverts, road washouts, tree removal	20	4	45		69	12
Environmental events wind, rain, snow, road closures	3	0	0		3	6
Complaints/Inquiries	23	24	88		135	66
Contracted services used for operations outside of contracts. Example/ Trappers, streetlight maintenance, beaver dam removal	2	4	8		14	9
Stand by hours (for environmental events) (this includes only weekends and holiday call outs)	141	49	0		190	n/a

➤ NOTE: Statistics are not complete or showing N/A: statistics not tracked or TBA: To be added.

Key Highlights for this Quarter

- New Backhoe at Public Works
- Capital roads work completed on Dokis Road.
- Capital work completed at Alban Community Center entrance.
- Road lift completed on Lafrenière Road.
- Road management plan initiatives commenced.

Highlighted Annual Performance Metrics:

- The purchase of new equipment to maintain and/or increase the level of service the Municipality provides its ratepayers.
- Our Road management plan expired in 2017; our roads are being evaluated for the creation of an updated plan.

Quarterly statistics Environmental Services

Description	Q1	Q2	Q3	Q4	2018 YTD	2017 Total
Litigation/Risk Mitigation : legal (lawsuits, compliance, health and safety infractions)	0	0	0		0	0
Environmental infractions at Bin Sites (Average time in hours it takes to clean-up bulky items)	1	6	18.5		25.5	28
Tickets/warnings for infractions (residents)	0	0	TBA		0	0
Work orders for operational priorities (equipment break downs)	1	1	1		3	1
Work orders for maintenance standards	0	0	1		1	0
Contracted services used for operations (outside of contracts)(steel pick up, refrigerant disposal)	1	n/a	TBA		1	3
Stand by hours (Departmental Emergency hours used)	0	0	TBA		0	
Hazardous Waste Events (number of vehicles at each event)	0	175	108		350	345

➤ NOTE: Statistics are not complete or showing N/A: statistics not tracked or TBA: To be added.

Key Highlights for this Quarter:

- Hazardous Day September 22, 2018
- Continuing work on Phase 2 of landfill improvements
- Request for proposal released for drilling and well repair for monitoring wells at Landfill
- Second request for “Wood Grind Chipping” quote released and completed.

Highlighted Annual Performance Metrics:

- The purchase of new equipment to maintain and or increase the level of service the Municipality provides its ratepayers.

French River Public Library Statistics July 1 to October 31, 2018 compared to 2017

Alban Branch	Oct-18	2017		Noelville Branch	Oct-18	2017
Books	544	628		Books	1104	1091
Movies	161	240		Movies	228	281
Electronic Books	192	162		Electronic Books	406	269
Computers	182	244		Computers	355	363
Adult Programs	24	469		Adult Programs	239	682
Children Programs	39	64		Children Programs	335	188
Library Services	150	158		Library Services	110	141
WIFI	379	381		WIFI	710	567
Information Request	1095	1438		Information Request	2186	2214
Social Media	19205	11279		Social Media	36303	20008
Walk ins	868	1245		Walk ins	1673	1616

MUNICIPALITY OF FRENCH RIVER

REPORT TO MAYOR AND COUNCIL

MSDSSB BOARD MEETING –OCTOBER 25, 2018

The first business of the meeting was discussion regarding the Finance Committee report on the preliminary budget for 2019. The result is a proposed 2019 operating budget of \$37, 542, 988 gross. The municipal share is \$10,454,428.00. This amount will bring an increase for the municipal share of 1.13%.

The budget will be presented to the incoming new board with a recommendation to approve it!

A lot of the Board's time was consumed with an extensive discussion about the AMO, OMSSA and NOSDA recommendations regarding Social Assistance Reform in Ontario. This all comes about as a result of the Province asking for advice and ideas on how to move ahead on accomplishing the reforms that everyone agrees are needed. The Social Services Ministry provided a 100 day time frame to receive the recommendations. That time is about up!

It is worth noting that if some or all of the reforms come about that have been submitted to the Ministry there will be a lot more administration and services provided by the DSSABS.

There was also a resolution to endorse and send to the Ministry a proposal for a new and hopefully, much better, way to improve the employment programs that are administered by the DSSABS. The thinking is that with the use of the suggested methods the actual outcome of the efforts to find employment and keep people employed will greatly improve. Along with the foregoing it is also proposed that the DSSABS will be the Managers of the Employment Service Systems if the proposals are adopted by the Ministry.

The issue of the DSSAB Social Housing Buildings was back on the agenda for more discussion. The discussions centered on the ongoing costs to keep all 17 buildings in good condition. After closely examining all the buildings and then looking ahead for the next 5 years the capital costs per square foot varied from as little as \$4.90 per square foot to as high as \$42.39 per square foot. Those numbers derive from a projected total capital cost for 5 years divided by the square feet of the building. For example, our building here in Noelville is expected to need \$84,600 over 5 years divided by 15,994 square feet total.

This works out to \$5.29 per Square foot. There will be recommendations to get rid of buildings that do not make sense to keep.

The legalization of cannabis has required the DSSAB to incorporate the use of cannabis into the smoking rules of all of the social housing buildings. In 2015 the DSSAB adopted a smoke-free policy for all social housing. Any occupants at the time who did smoke were grand-fathered for their units but all new occupants were required to sign their lease with a no-smoking requirement.

The cannabis issue also had to be dealt with in regard to workplace policies and the new Paramedic Services Procedures. The drugs and alcohol workplace policies also had to be updated to address the cannabis matter.

Despite repeated requests to the NE-LIHN for clarification or decision on the non-urgent patient transfer service and the RFP that had been circulated, there has been no substantive reply. A consultant devised proposal was sent out for discussion but the DSSABS found it wanting. And, so far not much else on the matter.

Paramedic Chief Rob Smith spoke about response time standards and in particular, cardiac response times. He plans to submit to the MOHLTC a new objective in regard to response time for Sudden Cardiac Arrest. Presently the response time for sudden cardiac arrest is 6 minutes 25% of the time. The new achievement level is hoped to be 6 minutes in 30% of the incidents. That may not sound like much of a change but to the heart attack victim it can be life or death. It is a very worthwhile goal!!

That's it folks. Next meeting is the 22 of November 2018. And remember for more details on this past meeting look at the MINUTES

Councillor: Dean Wenborne



Municipality of French River

Report of the Building Controls Department For Consideration by Council

RE: Review of Clean Yard By-law

OBJECTIVE: To inform Council on the revised Clean Yard By-law for adoption. (previous version adopted June 20, 2018)

BACKGROUND:

The Sudbury East Building and Bylaw Services (SEBBS) in cooperation with its member CAOs and Clerks have undertaken the review of current bylaws in all municipalities to seek consistency where it is merited. The Clean Yard By-law was reviewed over 2018, and when consensus was reached among the municipalities, the bylaw was passed by each respective Councils, then submitted by the Clerks to the Province for approval of the fines and short form wordings proposed for those fines.

ANALYSIS:

After proceeding with this process, it was discovered that there were some inconsistent fine amounts and short form wordings recommended by the Province to each municipality.

The issue has since been addressed with the Province. They have been informed that French River is participating in a shared service agreement and that it is the wish of the participating Councils to have consistency across the four municipalities. In order to make the necessary changes, the Province has asked that the by-law be reintroduced to each council, passed, then resent to the province for the final review of all the fees and short form wordings, now with the knowledge that any changes recommended be made consistent across the member municipalities.

This process has been noted by SEBBS and any future by-laws that require a provincial review of fines will have a draft reviewed by the province on behalf of all municipalities (once a consensus is reached by all CAOs), then each municipality will pass their own bylaws based on that approved draft, and submit their short form wordings and fines with a note to the Province that consistency is being sought with the other member municipalities of SEBBS.

CONCLUSION/RECOMMENDATIONS:

It is recommended that Council pass the attached Clean Yard By-law (which will repeal the one adopted in June), allowing the Clerk to resubmit the adopted By-law to the Province to receive a review of fines and short form wording that will be consistent with all of the municipalities involved in SEBBS.

Attachments:

Clean Yard By-law showing changes.

Respectfully Submitted by:

Andrea Tarini, Permit Services Clerk
Building Department
Date: November 2, 2018

Approved:

Marc Gagnon
Chief Administrative Officer

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-55

BEING A BY-LAW TO PROVIDE FOR THE MAINTENANCE OF LAND
(CLEAN YARD BY-LAW) WITHIN THE MUNICIPALITY OF FRENCH RIVER

WHEREAS Section 127 of the Municipal Act, S.O. 2001, c 25, as amended, provides that a municipality may require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings;

AND WHEREAS Section 128 of the Municipal Act, S.O. 2001, c 25, as amended, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Section 131 of the Municipal Act, S.O. 2001, c 25, as amended, provides that a municipality may prohibit and regulate the use of any land for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition;

AND WHEREAS Section 8 through 11 of the Municipal Act, S.O. 2001, c 25, as amended, provide that a municipality may pass by-laws respecting, waste management;

AND WHEREAS Section 426 of the Municipal Act, S.O. 2001, c 25, as amended, provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS Section 446 of the Municipal Act, S.O. 2001, c 25, as amended, provides that where a municipality has authority by by-law or otherwise, to direct that a matter or thing be done, the municipality may direct that, in default of it being done by the person required to do it, such matter or thing be done by the municipality at the person's expense and the municipality may recover the expense incurred by action or by adding the cost to the tax roll and collecting the cost in the same manner as taxes;

AND WHEREAS Section 429 of the Municipal Act, S.O. 2001, c 25, as amended, may establish a system of fines for offences under a by-law of the municipality passed under this Act: designate an offence as a continuing offence and provide for a minimum and maximum fine for each day or part of a day that the offence continues; designate an offence as a multiple offence and provide for a minimum and maximum fine for each offence included in the multiple offence; establish escalating fines for a second and subsequent conviction for the same offence; and establish special fines in addition to the regular fines for an offence which are designed to eliminate or reduce any economic advantage or gain from contravening the by-law.

AND WHEREAS Council desires to pass a by-law:

- (a) for the maintenance of yards by owners and occupants;
- (b) prohibiting standing water on lands

- (c) prohibiting the keeping of domestic and industrial waste on lands;
- (d) prohibiting littering on public and private land;
- (e) regulating the salvage of motor vehicles and their components with the intent of promoting proper recycling and reuse of resources, the limiting of waste and wasteful practices, the limiting or eliminating of nuisances, particularly from waste and naturalized areas to other properties in the municipality, and the limiting and eliminating of other unhealthy practices and conditions arising from litter, refuse, neglect or standing water.

NOW THEREFORE the Council of The Municipality of French River hereby enacts the following:

SECTION I - DEFINITIONS

In this by-law:

1.01 “Agricultural Operation” means an agricultural operation as defined by the Farming and Food Protection Act, S.O. 1998, c.1 as amended;

1.02 “Chief Building Official” means the Chief Building Official appointed by Council under the Building Code Act, S.O. 1992, c 23, as amended, or the person who is appointed to act in that capacity during his or her absence;

1.03 “Continuing Offence” means an offence that continues to occur by the half/hour, hourly, daily, or for a partial day;

1.04 “Debris” shall mean, but is not limited to, garbage, rubbish, refuse or wrecked, decayed, dilapidated, or inoperative motor vehicles, vehicles or machinery and parts thereof;

1.05 “Domestic Waste” means any debris, rubbish, refuse, sewage, effluent, discard or garbage arising from residential household use, belonging to or associated with a house or use of a house or residential land, which for greater certainty includes all garbage, discarded material or items, broken or dismantled items, and materials or items exposed to the elements, deteriorating or decaying on land due to exposure or the weather, and for even greater certainty “domestic waste” includes but is not limited to the following classes of material regardless of the nature or condition of the material, article or thing:

- a. Broken or torn bits of twigs, splinters or rags, tree cuttings or cut limbs and brush from any shrub or tree, and waste lumber, excepting only cut and stacked;
- b. Paper, paper cartons and other paper products;
- c. Rotting vegetable matter, or rotting animal matter;
- d. Disconnected appliances, including refrigerators, stoves, freezers, or any part or parts of such items;
- e. Furnaces or furnace parts, ducting, pipes, fittings to pipes and wire;
- f. Water or fuel tanks;
- g. Inoperative machinery, inoperative motor vehicles, and parts or accessories of such items including tires, building or construction materials, other than those on site for ongoing construction;

- h. Accumulations of broken concrete or asphalt pavement, brick pavers, sidewalk slabs and used building materials;
- i. Materials resulting from the alteration, repair or demolition of any building or structure;
- j. Sewage;
- k. Containers such as crockery, dishes, glassware, pots and pans and cans.

Domestic Waste as defined in this by-law does not cease to become domestic waste by reason only that it may be commercially saleable or recyclable.

1.06 “Industrial Waste” means any debris, rubbish, refuse, sewage effluent, discard, or garbage of a type arising from industrial, manufacturing, commercial or construction operations or belonging to or associated with an industry or commerce or industrial or commercial land, which for greater certainty includes all garbage, discarded material or items, broken or dismantled items, and due to exposure to the weather, and for even greater certainty “industrial waste” includes but is not limited to the following classes of material regardless of the nature or condition of the material, article or items:

- a. Debris, discarded items or matter, or effluent which in whole or in part are derived from or are constituted from or consist of,
 - i. Animal or vegetable matter, paper, lumber or wood; or
 - ii. Mineral, metal or chemicals, or fill contaminated with petrochemical or petroleum products;
- b. Piles of miscellaneous plastic, wood or metal parts, or combinations of such materials;
- c. Automotive parts not packaged for immediate shipment, inoperative vehicles, vehicle parts, inoperative mechanical equipment, mechanical parts, accessories or adjuncts to the vehicle and mechanical equipment not contained in a legal salvage yard;
- d. Piping, ducting tubing conduits, cable, wire and fittings or related accessories with or without adjuncts, and not packaged for immediate shipment;
- e. Material resulting from or as part of construction, demolition, repair or renovation projects including debris and leftovers;
- f. Rubble or fill;
- g. Sewage;
- h. Ashes;
- i. Dust emanating from the operation of the enterprise;
- j. Broken bricks, concrete or asphalt.

Industrial Waste as defined by this by-law does not cease to be industrial waste reason only that it may be commercially saleable or recyclable.

1.07 “Lagoon” means a Ministry of Environment approved waste stabilization pond consisting of an earthen basin designed and built for wastewater treatment to reduce the organic content and remove pathogens from wastewater.

1.08 “Multiple Offence” means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and contravention of the same or separate provisions of a by-law;

1.09 “Municipality” means the Corporation of the Municipality of French River;

1.10 “Municipal Law Enforcement Officer” means the officer in charge of the By- law Enforcement of the Corporation of the Municipality of French river or his or her authorized subordinates or assistants;

1.11 “Naturalized Area” means land or a portion of lands covered by vegetation which is landscaped and maintained with a variety of flowers or plants, with or without grasses, or left to grow a variety of indigenous plants;

1.12 “Occupant” means any person or persons over the age of 18 years in possession of the land;

1.13 “Officer” means a municipal law enforcement officer, a building inspector, a fire prevention officer, a fire fighter, a health inspector, a weed inspector appointed under the Weed Control Act or any other person appointed or employed by the municipality for the enforcement of by-laws and includes a peace officer;

1.14 “Owner” includes:

- a. Both the owner in trust and the beneficial owner of land;
- b. The person for the time being managing or receiving rent of the land or premises in connection with which the word is used, whether on the person’s own account or as agent or trustee of any other person, who would receive the rent if the land and premises were let; and
- c. A lessee or occupant of the land who manages or controls the condition of the land;

1.15 “Person” means an individual, firm, corporation, association or partnership.

1.16 “Refuse” means any article, thing, matter, substance or effluent that:

- a. Has been cast aside, discharged or abandoned, or
- b. Is disused from its usual and intended use, or
- c. Is used up, in whole or in part, or expanded or worn out, in whole or in part; and
- d. Shall include domestic and industrial waste;

1.17 “Residential property” means any lands or portion thereof which are appurtenant to and used or associated with a dwelling;

1.18 “Sewage” includes any liquid waste containing human, vegetable or mineral matter, waste that is in suspension whether domestic or industrial or any other waste whether in suspension or precipitated, but does not include roof water or storm run-off;

1.19 “Standing Water” means any water on property other than:

- a. A natural, moving body of water that exists on a permanent basis;
- b. A body of water that is maintained in such a way so as to prevent the breeding of and/or larvae growth of mosquitoes, through the operation of a re-circulation and filtration system and/or the additive of an approved substance that will prevent the breeding of and/or larvae growth of mosquitoes;
- c. Any body of water containing live fish;
- d. Any body of water natural to its surrounding environment including natural ponds, bogs, marshes and wetlands;

- e. Any body of water within a municipally owned storm water management or lagoon facility; and;
- f. Any body of water contained for less than four (4) days.

1.20 “Turf Grass” means ground cover comprised of one or more species of growing grass with or without trees, shrubbery or maintained planting beds for other vegetation;

1.21 “Used Motor Vehicles” means a motor vehicle other than a motor vehicle which has visual proof of current validation and is operative and driven on a regular basis;

1.22 “Vehicle” includes a motor vehicle, trailer, boat, motorized snow vehicle and any mechanical equipment designed to be drawn, propelled or driven by any type of power, including muscular power;

1.23 “Weeds” means a noxious weed designated by or under the Weed Control Act, R.S.O. 1990, c. W5, as amended, including any weed designated as a local or noxious weed under a by-law of the municipality passed under that Act.

SECTION II - LAND MAINTENANCE

2. (a) All property owners shall maintain and keep trimmed their lawns, hedges and bushes. Grass shall not exceed 8” in height.
- (b) All properties shall be kept clear of debris, domestic waste or industrial waste and no person shall dump, throw, place, or deposit any debris, **refuse**, domestic waste or industrial waste material on any private property or cause such material to remain thereon without prior written consent of the property owner.
- (c) No person shall dump, throw, place, or deposit any waste material, refuse or debris on any property belonging to the Municipality without prior written approval of the Council or the Municipality.
- (d) No person shall cause or permit or allow any snow **or ice** to be dumped, thrown, placed, pushed or deposited onto any property within the municipality without prior written authority from the Municipality/owner/occupant of such property.
- (e) All residential property owners/occupants shall maintain lands free from dead, diseased, decayed, and damaged trees;
- (f) All residential property owners/occupants shall maintain lands free from injurious insects/rodents/vermin/termites

SECTION III - MOTOR VEHICLE SALVAGE

3. (a) No person shall store or keep inoperative, unlicensable vehicles, vehicles without visual proof of current validation, boats, **trailers** or aircraft or any other mechanical equipment or waste material in such manner that might create a fire, accident, health hazard, or unsightly appearance.

(b) No person shall use any land within the municipality for storing used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or other disposal including the purposes of repair of other vehicles.

(c) Section 3 (a) and (b) does not apply if:

- (i) zoning by-law permits the land to be used as an automotive recycling facility; and
- (ii) the Owner or Occupant holds current validation on the vehicle issued by the Ministry of Transportation.

(d) No person shall store a vehicle, boat, trailer, recreational vehicle on an area not properly surfaced/covered to accommodate same

SECTION IV - DOMESTIC AND INDUSTRIAL WASTE

4. (a) Every owner or occupant of land shall keep the land free of all Domestic Waste.

(b) Every owner or occupant of land shall keep the land free of all Industrial Waste.

(c) No person shall use any land or structure within the municipality for dumping or disposing of Domestic Waste or Industrial Waste.

(d) Section 4 (c) does not apply to:

- (i) land or structures used by the municipality for the purpose of dumping or disposing of Domestic or Industrial Waste.
- (ii) land designated by by-law of the municipality or other municipal authority for the purpose of dumping or disposing of Domestic or Industrial Waste.

(e) the owner of land on which Domestic or Industrial Waste has been thrown, placed, dumped or deposited shall immediately clean and clear the land of the waste material.

SECTION V - STANDING WATER

5. (a) Every owner or occupant of land shall keep the land free of Standing Water.

(b) Every owner or occupant of land shall keep the land free of containers or debris capable of holding standing water in such a manner as to be exposed to the breeding of and/or larvae growth of insects.

(c) Every owner or occupant of land shall ensure that a swimming pool, hot tub, wading pool, or artificial pond is maintained in proper operating condition, and in good repair.

SECTION VI - APPLIANCES

6. (a) All refrigerators, freezers or similar appliances which are stored or left on porches, decks, or in any rear yard, side yard or similar areas shall not have a self- locking or self-latching device and shall be:
- (i) in working order;
 - (ii) secured with an external locking device; and/or
 - (iii) locked at all times except when actually being used and supervised.
- (b) Refrigerators, freezers or similar appliances which are placed out for disposal shall have removed all doors including all sliding, swinging, spring loaded and pull-to-open doors or doors should be secured such that they cannot be opened without the aid of a tool.

SECTION VII - ORDERS

7. (a) The Municipal Law Enforcement Officer may make an order that shall be served on the owner of the property and such other persons affected by it as the officer determines as described in the Ontario Building Code Act as amended requiring the owner or occupant within the time specified in the order to:
- (i) clean and clear up the land and bring the land into compliance with any section of this by-law; and/or
 - (ii) remove or dispose of Standing Water on land including draining, filling of excavations and depressions in which standing water has or may collect, the screening or netting of containers or debris so as to prevent the breeding of mosquitoes; and/or
 - (iii) clean, clear or remove from the land or structure any or all garbage, refuse fill, inoperative motor vehicles, sewage, long grass (longer than 8”), weed, appliances or domestic or industrial waste of any kind;
- (b) Where an owner or occupant fails to comply with an order issued under this by- law within the time specified for compliance, the officer, with assistance by others as required and upon reasonable notice, may use one of the following methods as required:
- (i) clean or clear up a property and bring it into compliance with any section of this by-law;
 - (ii) remove or dispose of standing water on land including draining, filling of excavations and depressions in which standing water has or may collect, the screening or netting of containers or debris so as to prevent the breeding of mosquitoes;
 - (iii) clean, clear or remove from the land or structure any or all garbage, refuse, fill, sewage, inoperative motor vehicles, long grass (longer than 8”), weeds, appliances or domestic or industrial waste of any kind; or
 - (iv) remove used motor vehicles and other machinery, and any parts, stored for the purpose of wrecking or dismantling the materials or the salvaging parts thereof for sale or other disposal.

(c) Upon completion of the work, repairs or demolition by or on behalf of the Municipality, the municipality shall have a lien on the land for the amount spent on the repair or demolition, and the amount shall be deemed to be municipal real property taxes and may be added by the Clerk of the Municipality to the tax roll and collected in the same manner and with the same priority as municipal real property taxes as provided for by statute.

SECTIONS VIII - OFFENCES

8. (a) ~~subject to section 8 (b) and (c) below,~~ Every person who contravenes any provision of this by-law, is guilty of an offence and upon conviction is liable to the penalties prescribed under the Provincial Offences Act, R.S.O. 1990, c.P 33, as amended.

(b) Every person who contravenes sections 4 (a), (b), (c) and (d) of this by-law is guilty of an offence, and upon conviction is subject, **pursuant to Part III of the Provincial Offences Act,** to a fine of not more than \$10,000 for a first Offence and \$25,000 for any subsequent offence of such subsections.

(c) Where a corporation is convicted of an offence under sections 4 (a), (b), (c) and (d) of this by-law, the maximum penalty that may be imposed on the corporation is \$50,000 for a first offence and \$100,000 for any subsequent offences of such subsections.

(d) No person shall hinder or obstruct an Officer, appointed under this by-law or employed to enforce this by-law, from carrying out an inspection of lands, nor shall any person obstruct any employee or agent authorized to carry out the work for the municipality in an order issued hereunder.

~~(e) Every person who contravenes any provision of this By-law is guilty of an offence and is liable to a fine set by the Chief Justice of the Ontario Court of Justice for the purpose of proceedings commenced under Part I~~

SECTION IX – VALIDITY

9. (a) Should a court of competent jurisdiction declare a part or whole of any provision of this bylaw to be invalid or of no force and effect, the provision or part is deemed severable from this bylaw, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law so as to protect the public by ensuring a minimum standard for maintenance and occupancy is maintained.

(b) Where a provision of this by-Law conflicts with the provision of another by-law in force within the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

SECTION X - ENACTMENT

10. (a) This by-law shall be known as the “**Clean Yard By-law**”.

(b) By-law 2018-29 and any and all by-laws on the same subject matter which is inconsistent with this by-law are hereby repealed.

(c) The attached Schedule “A” and Schedule “B” form part of this By-law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 21st DAY OF NOVEMBER, 2018.**

MAYOR

CLERK

SCHEDULE “A” of BY-LAW 2018-55

CLEAN YARD POLICY

All property owners are required to maintain their property according to standards set in the “Clean Yard By-law”, including owners of rental residential properties. (This is unless there is a specific agreement between the property owner and the lessee or occupants that assigns maintenance of the property.)

The By-law Enforcement Officer will act not only on written complaints but will use a common-sense approach to the application of the clean yard by-law.

When a complaint is received, an Officer will investigate to determine if a violation exists. This by-law will not be used to resolve issues between neighbors. If a violation is found, the officer can issue an Order advising the owner of the violation and requiring that it be remedied within a specified time period.

In view of the fact that the Municipality of French River has many diverse properties such as village areas, waterfront residential, waterfront commercial, farmland, and rural residential, enforcement will have to be done with some discretion taking into consideration the complainant, the geographic location of the property in question, the size of the property in question (farmland versus urban lot), the condition of the adjacent properties, and the effect of the infraction on adjacent properties and the general well-being of the residents of the area, and the Municipality. As the complaints and the investigations become more numerous, past practice data as well as the consistent application of the policy will become more evident and will act as a guide in the application of the by-law.

If you are a tenant that has concerns regarding ill-maintenance of your home or apartment building, first advise the landlord of your concerns in writing. This gives the landlord an opportunity to address the issue. If these concerns are not adequately addressed, register a complaint with the By-law Enforcement office.

This information is for convenience and quick reference only. For specific information, contact the By-law Enforcement Officer.

SCHEDULE “B” of BY-LAW 2018-55

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

**BEING A BY-LAW TO PROVIDE FOR THE MAINTENANCE OF LAND (CLEAN YARD BY-LAW)
WITHIN THE MUNICIPALITY OF FRENCH RIVER**

Items	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set Fine
1.	Fail to maintain and keep trimmed their lawns, hedges and bushes	2 (a)	\$80
2.	Throw/place/deposit waste material/refuse on private property without the written consent of the property owner/occupant	2 (b)	\$350
3.	Throw/place/deposit waste material/refuse on Municipal property without the written consent from the Municipality	2 (c)	\$350
4.	Throw/place/deposit snow/ice on property without the written consent of the property owner/occupant	2 (d)	\$150
5.	Fail to maintain residential land free from dead/diseased/decayed/damaged trees	2 (e)	\$250
6.	Fail to maintain residential land free from injurious insects/rodents/vermin/termites	2 (f)	\$150
7.	Fail to maintain land free from inoperative/unlicensed vehicles, boats, trailers, aircraft or mechanical equipment.	3 (a)	\$450
8.	Keeping/maintaining an illegal wrecking yard and or salvage operation	3 (b)	\$450
9.	Store a vehicle/boat/trailer/recreational vehicle on an area not properly surfaced/covered	3 (d)	\$350
10.	Fail to maintain land free from domestic waste	4 (a)	\$350
11.	Fail to maintain land free from industrial waste	4 (b)	\$450
12.	Using any land or structure within the municipality for dumping or disposing of Domestic Waste or Industrial Waste.	4 (c)	\$500
13.	Fail to maintain land free from standing water	5 (a)	\$150
14.	Hinder/ obstruct officer	8 (d)	\$125

Note: The general penalty provision for the offences listed above is s.61 of the Provincial Offences Act, R.S.O. 1990 c. P. 33, as amended.

*Comité des paniers de Noël
Région de la Rivière-des-Français*

le 10 octobre 2018

Monsieur Claude Bouffard, Maire
Municipalité de la Rivière-des-Français
Noëlville ON P0M 2N0

Monsieur Bouffard,

Par la présente, le Comité des paniers de Noël pour la Région de la Rivière-des-Français invite votre organisation à lui faire une contribution financière pour l'aider à défrayer les coûts relatifs à la confection de paniers de denrées alimentaires à l'intention des familles démunies de notre région à l'occasion des Fêtes.

Cette initiative annuelle régionale revêt un caractère réellement communautaire puisque le Comité comprend des représentants de chaque communauté de foi ainsi que des associations/groupes locaux et régionaux telles que Réserve Dokis, Chevaliers de Colomb (Alban et Noëlville), Club Lions, Club Richelieu Rivière-des-Français, Mouvement des femmes chrétiennes, Club des Retraités de la Rivière-des-Français (Noëlville et Alban), la Légion Rivière-des-Français et Union culturelle franco-ontarienne.

Les familles que nous aidons sont réparties sur le territoire allant de la Réserve Dokis à Rutter en passant par Monetville, Noëlville et Alban.

Veuillez libeller votre chèque « Comité des Paniers de Noël » et le faire parvenir à:

Denis Prévost, Président-Coordonnateur
Comité des Paniers de Noël
Paroisse St-David
C. P. 126; Noëlville, Ontario P0M 2N0

Vous pouvez également déposer votre contribution en personne au bureau de la paroisse, situé dans la sacristie de l'église, du mercredi au vendredi de chaque semaine.

Nous vous prions d'agréer nos remerciements sincères pour votre contribution financière anticipée.

Respectueusement,

Denis Prévost

Denis Prévost
Président-Coordonnateur
Comité des Paniers de Noël



Municipality of French River

MINUTES OF THE REGULAR COUNCIL MEETING

held in the Council Chambers
Wednesday, October 17, 2018 at 6pm

Members Present:

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

Members Excused:

Councillor Denny Sharp

Officials Present:

Marc Gagnon, Chief Administrative Officer
Mélanie Bouffard, Clerk
Robert Martin, Parks, Recreation & Facilities Manager
Carlie Zwiers, Executive Assistant

Guests:

5 Members of public

Via Skype:

Tony Fleming, C.S., Integrity Commissioner, Cunningham Swan

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 Gisele Pageau and Seconded By Ron Garbutt

Resol. 2018- 235

BE IT RESOLVED THAT the following addition to the agenda be approved as presented:

Item 5.4.2 Resolution to declare the Volunteer Appreciation Night being held November 28th, 2018 as a community event of municipal significance

Carried

Moved By Mike Bigras and Seconded By Dean Wenborne

Resol. 2018- 236

BE IT RESOLVED THAT the agenda be approved as amended.

Carried

3. Disclosure of Pecuniary Interest

None declared.

4. Delegations (NIL)

5. Reports and Items for Consideration

5.1 General Government

5.1.1 Presentation and consideration of the Draft Council Code of Conduct by Tony Fleming, C.S., Integrity Commissioner (*via Skype*)

Mr. Tony Fleming presented the draft document and answered questions from Council. Council discussed and agreed on changes; the final document will be considered by Council.

Break at 7:25pm to 7:35pm

5.1.2 Resolution to adopt By-law 2018-53 to adopt the Council Code of Conduct

Moved By Mike Bigras and Seconded By Gisele Pageau

Resol. 2018- 237

BE IT RESOLVED THAT By-law 2018-53, being a by-law to authorize the adoption of a Council Code of Conduct be read a first, second and third time and finally passed.

Moved By Malcolm Lamothe and Seconded Ron Garbutt

Motion to defer to the Combined Meeting being held November 7th, 2018.

Deferral Carried

5.1.3 Quarter Report - Clerk's Department

The Clerk presented the report included in the agenda package.

5.2 Finance (NIL)

5.3 Public Works & Environment Services

5.3.1 Resolution to award the Contract for Drilling and Repair of Monitoring Wells at the Noëlville Landfill Site

Moved By Mike Bigras and Seconded By Dean Wenborne

Resol. 2018- 238

BE IT RESOLVED THAT Council awards the Contract for Drilling and Repair of Monitoring Wells at the Noëlville Landfill Site to Walker Drilling Ltd for an amount of \$55,584 plus applicable taxes.

Carried

5.4 Community Services

5.4.1 Quarter Report - Parks, Recreation & Facilities Department

The Manager presented the report included in the agenda package.

5.4.2 Declaration of Community Event

Moved By Mike Bigras and Seconded By Gisele Pageau

Resol. 2018- 239

BE IT RESOLVED THAT Council declares the Volunteer Appreciation Night being held November 28th, 2018 hosted by the Municipality of French River as a community event of municipal significance.

Carried

5.5 Emergency Services and Public Safety

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

Councillor Wenborne presented the report included in the agenda package.

5.5.2 Quarter Report - Fire Department

The report was included in the agenda package.

5.6 Development & Planning

5.6.1 Quarter Report - Building Controls / Municipal Law Enforcement

The report was included in the agenda package.

5.7 Correspondence

6. Consent Agenda

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

Moved By Mike Bigras and Seconded By Ron Garbutt

Resol. 2018- 240

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

Items 6.1. was taken out of the Consent Agenda to allow debate.

6.1 Item was removed from the Consent Agenda to allow debate.

6.2 Receipt of Minutes

Moved By Mike Bigras and Seconded By Ron Garbutt

Resol. 2018- 241

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

Sudbury & District Board of Health held September 20, 2018

Carried

6.3 Items for Consideration or Information

6.3.1 Grants and Subsidy Application

Moved By Mike Bigras and Seconded By Ron Garbutt

Resol. 2018- 242

BE IT RESOLVED THAT Council approves the Grant & Subsidy Application for a rebate of \$200 from the hall rental fee at the Noëlville Community Centre received from the French River Children’s Christmas Party Committee for their annual Children’s Christmas Party and Parade being held on December 1, 2018.

Carried

6.3.2 Grants and Subsidy Application

Moved By Mike Bigras and Seconded By Ron Garbutt

Resol. 2018- 243

BE IT RESOLVED THAT Council approves the Grant & Subsidy Application for a rebate of \$200 from the hall rental fee at the Alban Community Centre received from Paroisse Notre Dame de Lourdes for a Parish Bingo to raise funds for the church and rectory being held on December 2, 2018.

Carried

6.4 By-laws

6.4.1 Funding Amending Agreement

Moved By Mike Bigras and Seconded By Ron Garbutt

Resol. 2018- 244

BE IT RESOLVED THAT By-law 2018-52, being a by-law to amend By-law 2016-16, a by-law to authorize a Funding Agreement for the New Building Canada Fund - Small Communities Fund be read a first, second and third time and finally passed.

Carried

Items separated from the Consent Agenda to allow debate

6.1 Adoption of Minutes

Moved By Mike Bigras and Seconded By Gisele Pageau

Resol. 2018- 245

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

Combined Council Meeting held October 3, 2018

Closed Council Minutes held October 3, 2018

Carried

7. Notices of Motion

8. Announcement and Inquiries

9. Closed Session

10. Adjournment

Moved By Mike Bigras and Seconded By Dean Wenborne

Resol. 2018- 246

BE IT RESOLVED THAT By-law 2018-54, 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 October 17, 2018 be read a first, second and third time and finally passed.

Carried

Moved By Malcolm Lamothe and Seconded By Mike Bigras

Resol. 2018- 247

BE IT RESOLVED THAT the meeting be adjourned at 8:19 p.m.

Carried

MAYOR

CLERK