



AGENDA

FIFTEENTH REGULAR MEETING OF THE ONE HUNDRED AND TWENTY NINTH COUNCIL OF THE TOWN OF CARLETON PLACE
Tuesday, September 25, 2018, Council Chambers at 7:00 p.m.

I MOMENT OF SILENT REFLECTION

II DISCLOSURE OF PECUNIARY INTEREST OR CONFLICT OF INTEREST

III MINUTES OF PREVIOUS MEETING

Council Minutes dated September 11, 2018

p3

IV DELEGATIONS

None

V CORRESPONDENCE

None

VI REPORTS OF STANDING COMMITTEES

Recommended Motion

THAT Council hereby receives the consent items for the following Committees:

p45

- Policy Review Committee, September 11, 2018 (Communications 129308, 129285, 129309)
- Community Issues Committee, September 18, 2018 (Communications 129315, 129316, 129318, 129319)
- Planning and Protection Committee, September 18, 2018 (Communications 129322, 129323)

COMMUNITY ISSUES COMMITTEE - September 18, 2018

Recommended Motion (129316)

THAT staff be authorized to proceed with the purchase of a 27HP Cub Cadet from Black's Corners Motorsport in the amount of \$11,879.10 plus HST.

p11

Recommended Motion (129317)

THAT Council approve the allocation of Community Enrichment Grants to various organizations under Intake 2 in the amount of \$8,681.46.

p11

PLANNING AND PROTECTION COMMITTEE - September 18, 2018

Recommended Motion (129320)

THAT Council approve the purchase of new helmets for the Ocean Wave Fire Company at the discounted cost of \$10,125 plus HST; and p13

THAT the cost remain unfunded at the end of 2018 and included in the Department's 2019 capital budget and funded at that time.

VII READING OF BY-LAWS

p16

- By-law 99-2018 – To Exempt Lands from Part Lot Control - 13-31 Graham Street
- By-law 100-2018 – To Remove One Foot Reserves – Stokes Dr., Rathwell St. and Pye Way
- By-law 101-2018 – To Appoint a By-law Enforcement Officer – Mike Williams
- By-law 102-2018 – To Adopt a Council Staff Relations Policy
- By-law 103-2018 – To Adopt a Council Code of Conduct and Employee Code of Conduct

VIII OTHER BUSINESS

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

X BY-LAW NO. 104-2018 CONFIRMING COUNCIL PROCEEDINGS

p47

XI SINGING OF O'CANADA

XII ADJOURNMENT

MINUTES
OF THE FOURTEENTH REGULAR MEETING OF THE ONE HUNDRED
AND TWENTY NINTH COUNCIL OF THE TOWN OF CARLETON PLACE

The Fourteenth Regular Meeting of the One Hundred and Twenty Ninth Council of the Town of Carleton Place was held in the Town Hall Council Chambers on Tuesday, September 11, 2018 at 7:00 p.m.

PRESENT: Mayor Antonakos Deputy-Mayor Flynn
 Councillor Black Councillor Trimble
 Councillor Redmond Councillor Fritz

STAFF: Diane Smithson, Chief Administrative Officer
 Stacey Blair, Deputy-Clerk

I MOMENT OF SILENT REFLECTION

Council and those present stood to witness a moment of silent reflection.

II DISCLOSURE OF PECUNIARY INTEREST OR CONFLICT OF INTEREST

None

III MINUTES OF PREVIOUS MEETING

Motion No. 14-129-01

Moved by Deputy-Mayor Flynn, seconded by Councillor Black

THAT the Minutes of the Thirteenth Regular Meeting of the 129th Council held on August 7, 2018 be adopted as printed.

CARRIED

IV DELEGATIONS

None

V CORRESPONDECE

None

VI REPORTS STANDING COMMITTEES

Planning and Protection Committee – September 4, 2018

Councillor Redmond declared a pecuniary interest regarding the Item for 50 Allan Street as he lives across the street from the proposed development and he left the room.

Motion No. 14-129-02

Moved by Councillor Black, seconded by Councillor Trimble

THAT Council hereby accepts the Planning and Protection Committee's decisions related to the consent items of September 4, 2018 (Communications 129298, 129304, 129287, 129288, 129289, 129290, 129291, 129292, 129307) and approves the Council Actions.

CARRIED

Councillor Redmond returned to the room.

Motion No. 14-129-03

Moved by Councillor Black, seconded by Councillor Redmond

Communication: 129299

THAT Council approve the budget variance of \$10,900 plus HST from the unused transition staff funds included in the Fire Department's 2018 operating budget towards updating the Fire Master Plan.

CARRIED

Motion No. 14-129-04

Moved by Councillor Fritz, seconded by Councillor Black

Communication: 129302

THAT the street names in the Nu Globe Subdivision be named as listed below:

- McGregor Street (extension of McGregor Street)
- Christie Street
- Nelson Street (extension of Nelson Street)
- McPhail Road
- Murphy Avenue
- Lewis Street

CARRIED

Motion No. 14-129-05

Moved by Councillor Trimble, seconded by Councillor Redmond

Communication: 129306

THAT Block 5 of Plan 27M76 be declared surplus to the requirements of the Town, and

THAT the subject lands be offered for sale to adjacent land owners.

CARRIED

VII READING OF BY-LAWS

By-law No. 95-2018

Motion No. 14-129-06

Moved by Deputy-Mayor Flynn, seconded by Councillor Fritz

THAT By-law No. 95-2018 **(To Authorize the Signing of an Agreement with the Town of Perth for Sharing Chief Building Official and Building Inspection Services)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 97-2018

Motion No. 14-129-07

Moved by Councillor Redmond, seconded by Councillor Black

THAT By-law No. 97-2018 **(To Authorize the Signing of an Agreement with the Municipality of Mississippi Mills for Sharing Chief Building Official and Building Inspection Services)** be read a first, a second and third time and finally passed.

CARRIED

VIII OTHER BUSINESS

None

IX MAYOR’S ANNOUNCEMENTS

Mayor Antonakos reminded Council of the Brett Pearson, Run For Your Life fundraiser event on September 29, 2018 as well as the Carleton Place and District Chamber of Commerce Golf Tournament on September 14, 2018 at the Canadian Golf and Country Club.

X BY-LAW CONFIRMING COUNCIL PROCEEDINGS

By-law No. 98-2018

Motion No. 14-129-08

Moved by Councillor Black, seconded by Councillor Trimble

THAT By-law No. 98-2018 (**Confirm Council Proceedings**) be read a first, a second and third time and finally passed.

CARRIED

XI SINGING OF O’CANADA

Members of Council, Staff and the public present stood for the singing of O Canada.

XII ADJOURNMENT – 7:14 p.m.

Motion No. 14-129-09

Moved by Councillor Fritz, seconded by Deputy Mayor Flynn

THAT the Fourteenth Regular Meeting of the One Hundred and Twenty Ninth Council be hereby adjourned.

CARRIED

Louis Antonakos, Mayor

S. Blair, Deputy Clerk



Policy Review Committee Action Report September 11th, 2018, immediately following Council Carleton Place Town Hall

PRESENT

Council: Mayor Antonakos, Deputy Mayor Flynn, Councillor Black, Councillor Fritz, Councillor Redmond, Councillor Trimble

Staff: Diane Smithson, CAO, Stacey Blair, Deputy Clerk, Amanda Charania, Communications Coordinator, Pascal Meunier, Director of Protective Services

1) CALL TO ORDER

The meeting was called to order at 7:17 p.m.

2) DECLARATION OF PECUNIARY/CONFLICT OF INTEREST

None.

3) REGISTRATION OF PUBLIC WISHING TO SPEAK

Those who spoke at the meeting registered with the Chair prior to or at the meeting.

4) COMMUNICATIONS (REPORTS)

i. Marketing Strategy Presentation (Communication 129307)

Amanda Charania, Communications Coordinator

Representatives from Cat's Cove Communications gave a Powerpoint presentation to the Committee regarding the draft marketing strategy including branding and logo redesign.

Moved by Councillor Black

Seconded by Mayor Antonakos

THAT the first draft of the marketing strategy prepared by Cat's Cove Communications be received as information; and

THAT a final draft of the strategy be presented at the September 18th Community Issues Committee meeting incorporating feedback received.

CARRIED

Comments received by Council members for the preparation of the final draft included the following:

- The element of water as part of the Carleton Place identity and is not shown in proposed logo; would it be possible to integrate water into the logo?
- Request for more community input into the logo, specifically comments from the public
- Adding more focus on the historical aspect of Carleton Place into the strategy

**ii. Lifting of One (1) Foot Reserves
(Communication 129308)**

Joanna Bowes, Manager of Development Services

**Moved by Councillor Black
Seconded by Deputy Mayor Flynn**

THAT a revised subdivision agreement be entered into with respect to modifications to securities for the Miller’s Crossing Subdivision; and

THAT any outstanding securities for Phase 3 be paid by Cardel Homes prior to the registration of the lifting of the 1 foot reserves.

CARRIED – CONSENT AND BY-LAW PREPARED

**iii. Committee Structure/Procedural By-law
(Communication 129285)**

Stacey Blair, Deputy Clerk

**Moved by Councillor Black
Seconded by Councillor Redmond**

THAT Council provide direction to staff to prepare a revised Procedural By-law based on a Committee of the Whole system; and

THAT the Committee of the Whole system commence with the new term of Council; and

THAT the Striking Committee Report be amended to remove any procedural By-law type elements.

At the request of Mayor Antonakos, a recorded vote was taken.

Mayor Antonakos – No
Councillor Black – Yes
Councillor Doucett – Absent
Deputy Mayor Flynn – Yes
Councillor Fritz – Yes
Councillor Redmond – Yes
Councillor Trimble – Yes

The vote was declared CARRIED with a vote of 5 yeas and 1 nays.

CARRIED – CONSENT AND BY-LAW PREPARED

iv. **Policies Relating to *Bill 68 Modernizing Ontario's Municipal Legislation Act (Communication 129309)***

Stacey Blair, Deputy Clerk

Moved by Councillor Trimble

Seconded by Councillor Black

THAT Council approve the Council Code of Conduct, Employee Code of Conduct, and Council Staff Relations Policy; and

THAT the Clerk be authorized to prepare the necessary By-law.

At the request of Mayor Antonakos, a recorded vote was taken.

Mayor Antonakos – No

Councillor Black – Yes

Councillor Doucett – Absent

Deputy Mayor Flynn – Yes

Councillor Fritz – Yes

Councillor Redmond – Yes

Councillor Trimble – Yes

The vote was declared CARRIED with a vote of 5 yeas and 1 nays.

CARRIED – CONSENT AND BY-LAW PREPARED

Staff was asked to seek clarification in three areas:

- Reimbursement of fees;
- Credit card rewards; and
- Timeframe for bringing forward complaints.

5) CLOSED MEETING

Moved by Mayor Antonakos

Seconded by Councillor Black

THAT the Committee move into closed session at 8:55 p.m. to discuss a matter subject to:

- o Section 239 (2)(b) personal matters about an identifiable individual (IC 129309); and

THAT Diane Smithson, CAO, Stacey Blair, Deputy Clerk and Pascal Meunier, Director of Protective Services, remain in the room.

i. By-law Enforcement Matter (IC 129310)

Pascal Meunier, Director of Protective Services

CARRIED

Moved by Councillor Redmond

Seconded by Councillor Trimble

THAT the committee return to regular session at 9:15 p.m.

CARRIED

Mayor Antonakos left the meeting at 9:09 p.m. and returned at 9:15 p.m.

Rise and Report

The Director of Protective Services provided the Committee with a review of the item.

6) ADJOURNMENT

Moved by Councillor Redmond

Seconded by Councillor Trimble

THAT the meeting be adjourned at 9:19 p.m.

CARRIED



Community Issues Committee Action Report
September 18th, 2018, at 7:00 p.m.
Carleton Place Town Hall, Council Chambers

PRESENT: Mayor Antonakos, Deputy Mayor Flynn, Councillor Black, Councillor Redmond, Councillor Trimble, Councillor Fritz

Staff: Diane Smithson, CAO, Stacey Blair, Deputy-Clerk, Amanda Charania, Communications Coordinator, Joanne Henderson, Director of Recreation

1) CALL TO ORDER

The meeting was called to order at 7:01 p.m.

2) DECLARATION OF PECUNIARY/CONFLICT OF INTEREST

Councillor Fritz declared a conflict interest regarding Communication 129317 as she is a member of the Carleton Place Minor Hockey Association executive, and did not participate or vote on the matter of Community Grants.

3) REGISTRATION OF PUBLIC WISHING TO SPEAK

Those who spoke at the meeting registered with the Chair prior to or at the meeting.

4) COMMITTEE/BOARD UPDATES

COMMITTEE/BOARD	MEMBER OF COUNCIL	UPDATES
Municipal Heritage Committee	Councillor Redmond	The Committee is planning the Carleton Place 200 th Anniversary for next year.
BIA Board	Councillor Fritz	BIA and Sister City Cte. have come up with a new family event, Pumpkin Fest, which will be held October 20 th .
MVCA	Councillor Black Deputy-Mayor Flynn	Nothing to report
Chamber of Commerce	Deputy-Mayor Flynn	The annual golf tournament was held on September 14.
Youth Centre Board	Councillor Trimble	Nothing to report.
Library Board	Councillor Doucett	Nothing to report.
Daycare	Councillor Fritz	Nothing to report.
County	Mayor Antonakos Deputy-Mayor Flynn	Carleton Junction has been paved. Ottawa

5) COMMUNICATIONS (REPORTS)

**I. Action Reports/Minutes of Various Committees
(Communication 129315)**

**Moved by Councillor Trimble
Seconded by Councillor Black**

THAT the following minutes be received:

- Carleton Place Environmental Advisory Committee Minutes of September 10, 2018, be received.

CARRIED – CONSENT

**II. Parks and Recreation Committee Action Report for September 12, 2018
(Communication 129316)**

Joanne Henderson, Manager of Recreation and Culture

**Moved by Councillor Trimble
Seconded by Councillor Black**

THAT the Committee receives the Manager of Recreation and Culture Report on the highlights of the September 12, 2018 Parks and Recreation meeting as information.

CARRIED - CONSENT

**Moved by Mayor Antonakos
Seconded by Councillor Redmond**

THAT staff be authorized to proceed with the purchase of a 27HP Cub Cadet from Black's Corners Motorsport in the amount of \$11,879.10 plus HST.

CARRIED – MOTION PREPARED

At 7:09 p.m., Councillor Fritz vacated the Chair in reference to her declared conflict of interest. Councillor Black assumed the position of Chair for Communication 129317.

**III. Enrichment Grants
(Communication 129317)**

Joanne Henderson, Manager of Recreation and Culture

Mr. Kory Earle thanked Council for their support of the Christmas Day Committee over the past years.

**Moved by Councillor Redmond
Seconded by Councillor Trimble**

THAT Council approve the allocation of Community Enrichment Grants to various organizations under Intake 2 in the amount of \$8,681.46.

CARRIED - MOTION PREPARED

Councillor Fritz resumed the position of Chair at 7:16 p.m.

- IV. Marketing Strategy Update
(Communication 129318)**
Amanda Charania, Communications Coordinator

**Moved by Mayor Antonakos
Seconded by Councillor Trimble**

THAT Council receive the 2018 Community Marketing Strategy prepared by Cat's Cove Communications.

CARRIED – CONSENT

- V. Community Oven Project
(Communication 129319)**
Amanda Charania, Communications Coordinator

**Moved by Mayor Antonakos
Seconded by Councillor Redmond**

THAT Council support the new proposed location of Carleton Junction for the community oven project; and

THAT Staff request permission from the County of Lanark to include the community oven on the Carleton Junction site in accordance with the provisions of the Town's lease of the lands.

CARRIED - CONSENT

6) ADJOURNMENT

**Moved by Councillor Black
Seconded by Councillor Trimble**

THAT the meeting be adjourned at 7:24 p.m.

CARRIED



Planning and Protection Committee Action Report September 18, 2018, following Community Issues Committee Carleton Place Town Hall, Council Chambers

PRESENT: Mayor Antonakos, Deputy Mayor Flynn, Councillor Black, Councillor Redmond, Councillor Trimble, Councillor Fritz

Staff: Diane Smithson, CAO, Stacey Blair, Deputy-Clerk, Pascal Meunier, Director of Protective Services, Joanna Bowes, Manager of Development Services, Brian Gass, Chief Building Official, Dee Dee Scissons, Planning Assistant

1) CALL TO ORDER

The meeting was called to order at 7:24 p.m.

2) DECLARATION OF PECUNIARY/CONFLICT OF INTEREST

None declared.

3) REGISTRATION OF PUBLIC WISHING TO SPEAK

Those who spoke at the meeting registered with the Chair prior to or at the meeting.

4) DELEGATIONS

5) COMMUNICATIONS (REPORTS)

**I. Purchase of Fire Helmets
(Communication 129320)**

Pascal Meunier, Director of Protective Services

Moved by Mayor Antonakos

Seconded by Councillor Fritz

THAT Council approve the purchase of new helmets for the Ocean Wave Fire Company at the discounted cost of \$10,125 plus HST; and

THAT the cost remain unfunded at the end of 2018 and included in the Department's 2019 capital budget and funded at that time.

CARRIED – MOTION PREPARED

**II. Extension of Approval for 17 Albert Street Development
(Communication 129321)**

Joanna Bowes, Manager of Development Services

Moved by Mayor Antonakos

Seconded by Councillor Fritz

THAT Committee grants a six (6) month extension to DP3-06-07 for the proposed development at 17 Albert Street.

CARRIED

**III. Supplemental Report on Tiny Homes
(Communication 129322)**

Joanna Bowes, Manager of Development Services

Terrilee Kelford, of Kelford Youth Services, addressed the Committee regarding Tiny Homes as an affordable housing option.

**Moved by Mayor Antonakos
Seconded by Councillor Fritz**

THAT Council receive both the preliminary and supplemental reports from the Manager of Development Services and the Chief Building Official on the topic of Tiny Homes dates September 4 and September 18, 2018 as information; and

THAT Staff work with other Municipal Planners and Chief Building Officials to continue to explore how tiny homes can be accommodated in areas through the County from planning policy, Ontario Building Code and logistical perspectives; and

THAT in the interim, any applications received be reviewed on an as required and site-specific basis.

CARRIED - CONSENT

**IV. Nu Globe/Cavanagh Construction - Revised Subdivision and Parking Plan for Phase 1 of the Nu Globe Subdivision
(Communication 129323)**

Joanna Bowes, Manager of Development Services

Ben Clare, Planner, for McIntosh Perry, addressed the Committee with respect to the proposed red-line changes for this development.

Mr. Mark Smith provided comments pertaining to the development's storm water management.

**Moved by Councillor Fritz
Seconded by Councillor Trimble**

THAT the September 18, 2018 Report by the Manager of Development Services regarding a revised subdivision and parking plan for Phase 1 of the Nu Globe Subdivision be received for information and input.

CARRIED - CONSENT

5) CLOSED MEETING

**Moved by Councillor Trimble
Seconded by Councillor Black**

THAT the Committee move into closed session at 8:17 p.m. to discuss a matter subject to:

- Section 239 (2)(b) personal matters about an identifiable individual; and
- Section 239 (2) (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

THAT Diane Smithson, CAO, Stacey Blair, Deputy Clerk, Pascal Meunier, Director of Protective Services, Joanna Bowes, Manager of Development Services and Brian Gass, Chief Building Official, remain in the room.

i. By-law Questions regarding local property (IC 129324)

Pascal Meunier, Director of Protective Services
Joanna Bowes, Manager of Development Services
Brian Gass, Chief Building Official

CARRIED

Moved by Councillor Fritz

Seconded by Councillor Black

THAT the committee return to regular session at 9:16 p.m.

CARRIED

Rise and Report

The Deputy Clerk reported that staff provided the Committee with an update on a By-law enforcement matter and will continue with their investigation.

6) ADJOURNMENT

Moved by Councillor Black

Seconded by Councillor Fritz

THAT the meeting be adjourned at 9:17 p.m.

CARRIED

BY-LAW NO. 99-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL, REGISTERED PLAN 27M-73, PARTS OF LOTS 39 TO 44 INCLUSIVE ON PLAN 27R-10887, IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK.

WHEREAS Subsection 7 of Section 50 of *The Planning Act*, R.S.O. 1990 as amended, authorizes a Municipality to provide a by-law that part lot control does not apply to land that is within registered plans or plan of subdivision or parts thereof, subject to the approval of the County of Lanark;

AND WHEREAS it is deemed expedient to exempt certain lands located in an area designated Residential in Development Permit By-law 15-2015, and described as Registered Plan 27M-73, Parts of Lots 39 to 44 inclusive on Plan 27R-10887 in the Town of Carleton Place, in the County of Lanark;

AND WHEREAS *The Planning Act*, subsection 50 (7.1) does not come into effect until approved by the County of Lanark;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. Subsection 5 of Section 50 of *The Planning Act*, R.S.O. 1990, as amended, does not apply to:

FIRSTLY: Part of lot 39 Plan 27M-73 further described as Part 1 on Reference Plan 27R-10887

SECONDLY: Part of Lot 39 and Part of Lot 40 Plan 27M-73 further described as Parts 2 and 3 on Reference Plan 27R-10887

THIRDLY: Part of Lot 40 and Part of Lot 41 Plan 27M-73 further described as Parts 4 and 5 on Reference Plan 27R-10887

FOURTHLY: Part of Lot 41 and Part of Lot 42 Plan 27M-73 further described as Parts 6, 7 and 18 on Reference Plan 27R-10887

FIFTHLY: Part of Lot 42 and Part of Lot 43 Plan 27M-73 further described as Parts 8, 9, 16, 17, 19 and 20 on Reference Plan 27R-10887

SIXTHLY: Part of Lot 43 and Part of Lot 44 Plan 27M-73 further described as Parts 10, 11, 14 and 15 on Reference Plan 27R-10887

SEVENTHLY: Part of Lot 44 Plan 27M-73 further described as Parts 12 and 13 on Reference Plan 27R-10887

2. This by-law shall be effective only to the extent necessary to permit;

- a) The creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged.
And this by-law shall not be construed as to permit the further severance or re-subdivision of any such parcel.
3. This by-law shall become effective upon the approval of the County of Lanark and registration of the by-law in the land titles office.
4. This by-law shall expire and be of no further force and effect as of September 25, 2023.
5. The property is locally known as 13-31 Graham Street.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF SEPTEMBER 2018.

Louis Antonakos, Mayor

Stacey Blair, Deputy Clerk

BY-LAW NO. 100-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO REMOVE ONE FOOT RESERVES LEGALLY DESCRIBED AS BLOCK 136, BLOCK 132 AND BLOCK 133 ON PLAN 27M-77 AND TO DEDICATE SAID RESERVES AS A PUBLIC HIGHWAY, AS PART OF STOKES DRIVE, PART OF RATHWELL STREET AND PART OF PYE WAY.

WHEREAS a one foot reserve was retained by the Corporation of the Town of Carleton Place at Block 136, at Block 132 and at Block 133 on Plan 27M-77 in the Town of Carleton Place.

AND WHEREAS the retention of the above-noted one foot reserves are deemed no longer necessary.

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. THAT the one foot reserves legally described as Block 136, Block 132 and Block 133 on Plan 27M-77 be hereby removed.
2. THAT Block 136 on Plan 27M-77 be hereby dedicated as a public highway as part of Stokes Drive.
3. THAT Block 132 on Plan 27M-77 be hereby dedicated as a public highway as part of Rathwell Street.
4. THAT Block 133 on Plan 27M-77 be hereby dedicated as a public highway as part of Pye Way.
5. THAT a copy of this By-law be deposited on title in the Lanark Land Titles Division Office No. 27.

READ A FIRST TIME, A SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 25th DAY OF SEPTEMBER, 2018.

Louis Antonakos, Mayor

Stacey Blair, Deputy Clerk

BY-LAW NO. 101-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE, BEING A BY-LAW TO APPOINT A BY-LAW ENFORCEMENT OFFICER FOR THE ADMINISTRATION AND ENFORCEMENT OF MUNICIPAL BY-LAWS OF THE SAID CORPORATION

WHEREAS Section 15(1) of the Police Services Act, R.S.O. 1990, Chapter P.15 permits a municipality to appoint an office for the enforcement of municipal by-law;

AND WHEREAS subsequent (o) of Section 28 of The Interpretation Act, R.S.O. 1990, Chapter I.11 amended, confers authority upon a municipal council to appoint a By-law Enforcement Officer;

AND WHEREAS the Council of the Corporation of the Town of Carleton Place deems it necessary and expedient to appoint a By-law Enforcement Officer for the Town of Carleton Place;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. **THAT Mike Williams** is hereby appointed as a **By-law Enforcement Officer** for the Town of Carleton Place;
2. **THAT the By-law Enforcement Officer** shall have the same power and authority for enforcement of the Building Code, S.O. 1992, Chapter 23, as amended, and the Regulations thereunder, as the Chief Building Official;
3. **THAT the By-law Enforcement Officer** is hereby authorized and directed to administer and enforce provisions of all municipal by-laws of the Town of Carleton Place in the absence of and/or on behalf of the Chief By-law Enforcement Officer.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 25TH DAY OF SEPTEMBER 2018

Louis Antonakos, Mayor

Stacey Blair, Deputy Clerk

BY-LAW NO. 102-2018

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO ADOPT
A COUNCIL-STAFF RELATIONS POLICY**

WHEREAS the Council of the Corporation of the Town of Carleton Place deems it expedient to establish policies;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9, shall be exercised by by-law;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Subsection 270(1), requires municipalities to adopt and maintain a policy with respect to relationships between members of council and the officers and employees of the municipality prior to March 1, 2019;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. The Council-Staff Relations Policy is hereby adopted and attached hereto and forms part of this By-law.
2. This By-Law shall come into full force and effect on the date of adoption thereof.
3. Should any sections of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF SEPTEMBER 2018.

Louis Antonakos, Mayor

Stacey Blair, Deputy Clerk

Schedule A of By-law 102-2018

Members of Council/Employees/Officers Relations Policy

Policy Statement

The Town of Carleton Place will promote a respectful, tolerant, harassment-free relationship and workplace between Members of Council and the officers and employees of the corporation, guided by the Code of Conduct for Members of Council and Local Boards, the Employee Code of Conduct, the Violence/Harassment in the Workplace Policy, and the Town's Procedural By-law.

Purpose

This policy provides guidance on how the Town of Carleton Place ensures a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the corporation.

Policy Requirements:

The relationship between Members of Council and the officers and employees of the corporation is guided by the following:

1. Code of Conduct for Members of Council

The Code of Conduct for Members of Council establishes the ethical behaviour expected of Members of the Town of Carleton Place Council and local boards. Section 9 of the Code of Conduct for Members of Council relating to "General Conduct" states the following:

"Every Member has the duty and responsibility to treat members of the public, staff and each other in a respectful manner, without abuse, bullying, harassment or intimidation."

Sections 24 and 25 relating to "Interaction with Staff" states the following:

"Over the past number of years, the Town has worked diligently at creating a positive working relationship between Members and Staff. To a large degree this has been successful due to a mutual respect for each other's' roles and responsibilities.

Members shall not:

- a. maliciously or falsely injure the professional or ethical reputation of Staff;
- b. compel Staff to engage in partisan political activities or be subjected to threats of discrimination for refusing to engage in such activities; or
- c. 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."

2. Employee Code of Conduct

The purpose of the Employee Code of Conduct is to inform municipal employees about the required standards of ethical and professional conduct as it applies to their employment with The Town of Carleton Place. The "General Employee Responsibilities/Obligations" section of the Employee Code of Conduct states as follows:

1. Employees of The Town of Carleton Place must be professional, polite, courteous, and respectful in their interactions with each other, clients, residents, community agencies, contractors, suppliers, and the public. Employees of The Town of Carleton Place act on behalf of the Town and therefore must follow the highest standard of ethical behaviour in the course of their work to ensure that public confidence and trust is maintained.
2. Employees shall deal with all members of Council in an objective, respectful and impartial manner. Employees must recognize that elected officials are responsible for the establishment of policy and that employees are responsible for the interpretation of directives originating from Council.

3. Violence/Harassment in the Workplace Policy

The purpose of the Violence/Harassment in the Workplace Policy is to communicate The Town of Carleton Place's commitment to providing a work environment in which all workers are treated with respect and dignity, which is free from violence and harassment, and to comply with employer duties under the *Occupational Health and Safety Act*. The "Policy Statement" section of the Violence/Harassment in the Workplace Policy states as follows:

"The Town of Carleton Place is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace (including customers, clients, other employers, supervisors, workers and members of the public, as applicable)."

Responsibilities

Members of Council and officers and employees of the corporation are required to adhere to this policy and its governing provisions, including the Code of Conduct for Members of Council, the Employee Code of Conduct, the Violence/Harassment in the Workplace Policy.

Monitoring/Contraventions

The Clerk shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the Clerk shall notify:

1. In the case of officers and employees of the corporation, Chief Administrative Officer;
2. In the case of members of Council, the Integrity Commissioner.

Where there is a discrepancy between the Council-Staff Relations Policy and the Code of Conduct for Members of Council and Local Boards or the Employee Code of Conduct, the respective Code prevails.

Legislative and Administrative Authorities

The *Municipal Act*, 2001 requires Council to adopt and maintain a policy with respect to the relationship between Members of Council and the officers and employees of the municipality. The Council-Staff Relations Policy identifies the legislation, policies and procedures that the Town complies with in order to promote a respectful relationship between Members of Council and the officers and employees of the Town.

Enquiries: Town Clerk, 175 Bridge Street, Carleton Place, ON K7C 2V8

BY-LAW NO. 103-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO ADOPT A COUNCIL CODE OF CONDUCT AND AN EMPLOYEE CODE OF CONDUCT

WHEREAS amendments to the Council Code of Conduct and Employee Code of Conduct are required as a result of the passing of Bill 68 – *Modernizing Ontario's Municipal Legislation Act, 2017*;

AND WHEREAS Section 223.2 and 270.21 of the *Municipal Act, 2001*, provide authority to municipalities to establish codes of conduct for members of the Council and policies with respect to the relationship between members of council and the officers and employees of the municipality;

AND WHEREAS the Council of the Corporation of the Town of Carleton Place deems it desirable to adopt a Code of Conduct which would apply to members of Council, Local Boards, and Employees of the Town of Carleton Place;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. THAT the following schedules forming part of this By-law are hereby adopted - Schedule A- Council Code of Conduct; and Schedule B - Employee Code of Conduct;
2. THAT the Council Code of Conduct shall apply to all members of the Council of the Town of Carleton Place;
3. THAT the Employee Code of Conduct shall apply to all Employees of the Town of Carleton Place, including full-time, part-time, permanent and temporary employees, as well as volunteers, students and interns;
4. THAT all members of Council and Employees of the Town of Carleton Place shall sign an acknowledgement and commitment to the respective Codes of Conduct.
5. THAT should any sections of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.
6. THAT this By-Law will come into force and effect on the day of its passing.
7. THAT By-law Nos. 51-2009 and 30-2012 are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF SEPTEMBER 2018.

Louis Antonakos, Mayor

Stacey Blair, Deputy Clerk
Page 23 of 47

Schedule A

COUNCIL CODE OF CONDUCT

THE CORPORATION OF THE TOWN OF CARLETON PLACE

Code of Conduct for Members of Council and Local Boards

1. The Corporation of the Town of Carleton Place is committed to achieving the highest quality of municipal administration and governance by encouraging high standards of conduct on the part of all elected officials and members of its Boards and Committees. A code of conduct aims to ensure public trust and confidence in the Town's decision making and operations. The public should expect the highest standards of conduct from the members they elect to local government, as well as members serving on Boards and Committees. In turn, adherence to these standards will protect and maintain the Town's reputation and the integrity of its decision-making process.

Statutory Provisions Regarding Conduct

2. In addition to the Council Code of Conduct, Members are required to comply with existing provincial and federal legislation, including but not limited to:
 - a) Municipal Act, 2001;
 - b) Municipal Conflict of Interest Act;
 - c) Municipal Elections Act, 1996;
 - d) Municipal Freedom of Information and Protection of Privacy Act;
 - e) Provincial Offences Act;
 - f) Ontario Human Rights Code;
 - g) Ontario Occupational Health and Safety Act; and
 - h) Criminal Code of Canada.

Application

3. This Code of Conduct applies to all Members of Council, including the Head of Council. This Code of Conduct also applies equally to all Members of Boards and Committees of the Town, whether or not a Member of that Board or Committee is also a Member of Council.
4. The following Boards and Committees are not subject to this Code of Conduct:
 - a) Carleton Place Police Services Board; and
 - b) Carleton Place Library Board.

Definitions

5. In this Code of Conduct, the following terms have the meanings set out below:
 - a) **"Chief Administrative Officer"** includes Clerk-Administrator or such other employee who is responsible for exercising general control or management of the administration and affairs of the Town 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, 2001*.
- d) **“Confidential Information”** includes information in the possession of, or received in confidence by the Town, that the Town is prohibited from disclosing, that the Town is required to refuse to disclose, or that the Town chooses not to disclose, under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), or other legislation or policy of the Town. Without limiting the generality of the foregoing, Confidential Information also includes all information concerning matters dealt with at closed 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 Town of Carleton Place;
- 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, 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*, as amended from time to time.
- j) **“Member”** includes an elected member of the Municipal Council and all members of Boards and Committees of the Town, subject only to section 4 of this Code of Conduct;
- k) **“Town”** means the Corporation of The Town of Carleton Place.
- 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) **“Spouse”** means a person to whom the Member is married or with whom the Member is living in a conjugal relationship outside of marriage.
- n) **“Staff”** includes anyone employed by the Town, 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 Town).

Confidentiality

6. Every Member must hold in strict confidence all Confidential Information acquired as a direct or indirect result of the Member's role with the Town. Confidential information shall not be disclosed except when required by law, or when authorized by Council or the Chief Administrative Officer.
7. Every Member shall keep confidential any information:
 - a) Disclosed or discussed at a meeting of Council, Committee of the Whole or Committee, Board meeting or part thereof, that was closed to the public;
 - b) That is circulated to members of Council that is marked confidential. Any documentation marked confidential shall be kept securely until no longer required in the course of business and shall at that time be destroyed by the member of Council or returned to the office of the Chief Administrative Officer for destruction; and
 - c) That is received in confidence verbally in preparation for an in-camera meeting.
8. The obligation to keep information confidential applies even if the Member ceases to be a Member for any reason.

General Conduct

9. Every Member has the duty and responsibility to treat members of the public, staff and each other in a respectful manner, without abuse, bullying, harassment or intimidation.
10. A Member shall not use indecent, abusive, or insulting words or expressions toward any other Member, any member of Staff, or any member of the public. A Member shall not speak in a manner that is discriminatory to any individual based on that person's race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status, or disability.
11. Every Member shall abide by the following principles:
 - a) Members shall at all times act ethically;
 - b) Members shall perform their functions with integrity, accountability and transparency;
 - c) Members shall comply with all applicable legislation, by-laws and Municipal policies, including this Code of Conduct;
 - d) Members acknowledge that the public has a right to open government and transparent decision-making;
 - e) Members shall at all times serve the interests of their constituents and the Town in a conscientious and diligent manner and shall approach decision-making with an open mind; and
 - f) Members shall not extend preferential treatment to any individual or organization.

Conduct at Meetings

12. 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.

Conduct at Public Events

13. 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 Town. At any

such event, every Member shall conduct themselves with dignity and decorum, in a manner befitting of a representative of the Town.

Conflict of Interest

14. 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 Act.
15. For purposes of this Code, 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.
16. 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 Town 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
 - g) do not promise or hold out the prospect of future advantage through your influence in return for a direct or indirect personal interest.
17. Direct or indirect personal interests do not include:
 - a) a benefit that is of general application across the Town;
 - 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.
18. 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 in closed session, the Member may not attend that portion of the closed session where that matter is discussed.

Communications and Media Relations

- 19. Members, when communicating with the public and media, will accurately and adequately communicate the attitudes and decisions of the Council, Board or Committee, even if a Member disagrees with a majority decision, so that there is respect for and integrity in the decision making process.
- 20. Information related to decisions 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, the Board or the Committee, as the case may be, or his or her designate.
- 21. It is not the intent of this Code of Conduct to restrict the ability of a Member to express a personal opinion on matters of general interest. In such cases, the Member must make it clear that the comment is being made in their capacity as a private citizen, and not as a representative of the Town. In no event should a Member express a position that is disrespectful of the decision of the majority of Council, a Board or a Committee.
- 22. Any use of social media in any form by a Member constitutes communication with the public that is governed by this section. Members shall identify in any social media communication that the views expressed by the Member are the views of that Member personally, and do not represent the views of the Town.
- 23. If Council has taken a position in a Local Planning Appeals Tribunal, or other tribunal or court, and instructed the Municipal Solicitor to appear at a hearing in support of such position, no Member who disagrees with such position shall give evidence at such hearing or otherwise work against the will of Council expressed in its direction to the Municipal Solicitor in such matter.

Interaction with Staff

- 24. Over the past number of years, the Town has worked diligently at creating a positive working relationship between Members and Staff. To a large degree this has been successful due to a mutual respect for each other's' roles and responsibilities.
- 25. Members shall not:
 - a) maliciously or falsely injure the professional or ethical reputation of Staff;
 - b) compel Staff to engage in partisan political activities or be subjected to threats of discrimination for refusing to engage in such activities; or
 - c) 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.

26. Operational inquiries and complaints received from the public will 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 Chief Administrative Officer 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, then the Member shall refer the member of the public to the Town's complaint policy for any further action.
27. 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 Town and within the requirements of their profession.
28. Municipal Council, acting as a body, can dictate 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. Council shall direct Staff through the Chief Administrative Officer.
29. Board and Committee Members do not have the authority to direct Staff. Ultimately, Council retains the discretion to assign, remove and direct Staff who provide assistance to any Board or Committee. Requests for Staff changes shall be directed to the Chief Administrative Officer who shall make Staffing determinations, and consult with Council as necessary.
30. The role of the Chief Administrative Officer and Department Heads is to direct the day to day management of the Town and assign duties to the Staff placed under their supervision. To encourage the efficient management of the Town, individual Members must be cognizant of that fact and are advised of 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 Chief Administrative Officer, 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. 26 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 Chief Administrative Officer.
 - e) Members who still have concerns about operational issues after addressing them with the Chief Administrative Officer should raise these concerns at the appropriate Committee.

- f) Should information be required by individual Members, a request must be made of the appropriate Department Head who will then decide which Staff member will obtain the data. In the extended absence of the Department Head, or in the case of an urgent matter where the Department Head or Supervisor is not available, inquiries should be directed through the Chief Administration Officer.
- g) Members should respect the fact that Staff are busy and should not engage them in conversations, emails or phone calls that may take an excessive amount of time or otherwise divert Staff from their duties.

Use of Municipal Property

- 31. No Member shall for personal purposes or profit, use or permit the use of any Municipal property, equipment, services, or supplies other than for purposes connected with the discharge of Municipal duties or associated community activities of which Council has been advised, unless the use is reasonable and incidental personal use of equipment such as computers, fax machines, cell phones, blackberries, etc., where the Town incurs no additional costs relating to such use, and the use is of limited duration and frequency.
- 32. This policy does not apply to the use of Municipal property and facilities where such use is universally known to be available to other residents upon request and on equal terms.
- 33. No Member shall obtain financial gain 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 Town.
- 34. Municipal property and resources, including facilities, purchasing provisions, equipment, supplies, Staff and services will not be used for any election campaign activities, before or after Nomination Day.
- 35. Members will not undertake campaign-related activities on municipal property unless permitted by the Returning Officer or their designate.
- 36. Members will not use the services of Staff for election-related purposes during hours in which those persons receive compensation from the Town. For purposes only of this provision, Staff shall include any person under contract with the Town or receiving remuneration from the Town for any service.

Expenses

- 37. 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).
- 38. 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.

Gifts and Hospitality and other Benefits

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

40. In this policy, gifts, commissions, hospitality, rewards, advantages or benefits of any kind, may be interchanged and shall be deemed to include all of the aforementioned.
41. Any stipend paid to a Member is intended to fully remunerate the Members for service to the Town.
42. 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.
43. Members are prohibited from accepting, directly or indirectly, any gifts, hospitality or other benefits that are offered by persons, groups or organizations having dealings with the Town.
44. The above 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 Town 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;
 - h) Gifts of a nominal value that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of the office.
 - 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*.
45. Where it is not possible to decline unauthorized gifts, hospitality or other benefit, Members shall report the matter to the Chief Administrative Officer. The gift shall become the property of the Town and the Chief Administrative Officer may require that the gift be retained by the Town or be disposed of for charitable purposes in the Chief Administrative Officer's sole discretion.

Advice and Opinions

46. 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 Town governing the ethical behavior of the Member.
47. Every request for advice or opinion shall be submitted in writing to the Clerk, who shall forward the request to the Integrity Commissioner for a response.

48. The Integrity Commissioner shall not provide to any Member any advice or opinion with respect to the obligations of another Member.
49. Members shall be mindful of the cost to the Town to obtain the advice or opinion of the Integrity Commissioner and shall not abuse this entitlement.
50. 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.
51. Council may require 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 and the *Municipal Conflict of Interest Act* to better enable the Member to govern his or her conduct without seeking advice unnecessarily.

Role of the Integrity Commissioner

52. The Integrity Commissioner shall be appointed by By-law of the Town.
53. The Integrity Commissioner shall operate independently of Council in accordance with all of the authority and powers granted by the *Municipal Act*.
54. 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.
55. 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.
56. 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.
57. 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 Town governing the ethical behavior of the Member.

Enforcement and Sanctions

58. Every Member shall comply with this Code. Any breach of this Code may be investigated by the Integrity Commissioner in accordance with this Code and Council shall determine whether to impose any penalty or sanction on a Member found to have breached any provision of this Code.
59. Every Member has an obligation to cooperate with any investigation.
60. 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:
- a) A reprimand; or
 - b) Suspension of the remuneration paid to the Member in respect to his or her services as a Member of Council, local Board or Committee, as the case may be, for a period of up to 90 days.
61. The Integrity Commissioner may also recommend that Council impose one of the following sanctions:
- a) Written and/or verbal public apology;
 - b) Return of property or reimbursement of its value or of monies spent;
 - c) Removal from membership of any Committee or Board;
 - d) Removal as chair of a Committee or Board; and
 - e) Other sanctions that are reasonably connected to the breach of this Code of Conduct and which the Integrity Commissioner believes in his or her sole discretion are necessary to modify the behavior of the Member.

No Reprisal or Obstruction in the Enforcement of the Code

62. Every Member must respect the integrity of this Code of Conduct and inquiries and investigations conducted under it, and shall co-operate in every way possible in securing compliance with its application and enforcement. Any reprisal or threat of reprisal against a complainant or any other person for providing relevant information to the Integrity Commissioner or any other person is prohibited. It is also a violation of this Code of Conduct to obstruct the Integrity Commissioner in the carrying out of any of his or her responsibilities, including without limitation destroying relevant communications.

Complaint Protocol

63. Any person who has reasonable grounds to believe that a Member has breached this Code 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.

Appendix I outlines the informal and formal complaint procedure that shall be followed.

APPENDIX I
COMPLAINT PROTOCOL FOR COUNCIL AND LOCAL BOARD CODE OF CONDUCT

Part A: Informal Complaint Procedure

1. Informal complaints can be addressed by any person who believes that the activity of a Member has breached this Code of Conduct or the *Municipal Conflict of Interest Act*, but the person does not want to initiate a formal complaint. Any person may:
 - a) Advise the Member that his or her behavior or activity appears to constitute a contravention;
 - b) Encourage the Member to acknowledge and agree to stop the prohibited behavior or activity and avoid future occurrences of the prohibited behavior or activity;
 - c) Where the Member agrees to cease the behavior, confirm in writing that the agreement is satisfactory;
 - d) Where the Member's response is not satisfactory, advise the Member of your dissatisfaction with the response; and
 - e) Consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B.

2. Individuals are encouraged to pursue the informal complaint procedure as the first means of remedying behavior or an activity that they believe violates the Code of Conduct.

Part B: Formal Complaint Procedure

Formal Complaints

3. Any individual who identifies or witnesses behavior or an activity by a Member that they believe is in contravention of this Code of Conduct or the *Municipal Conflict of Interest Act*, may file a formal complaint.

4. Any person may file a complaint with the Town by submitting in writing the prescribed Complaint Form to the Clerk. The form must contain an attestation from the complainant that they believe that the facts as set out in the complaint are true to the best of their knowledge and belief and that they make those statements as if they were under oath.

5. Every complaint must be accompanied by the prescribed fee in the amount of \$150.00.

6. In the event that the Integrity Commissioner determines that a complaint is frivolous, vexatious or does not disclose a breach of this Code of Conduct or the *Municipal Conflict of Interest Act*, at any point after the submission of the complaint, the complainant shall forfeit the fee. If the result of the complaint is a negotiated resolution or a finding that the Member breached this Code of Conduct or the *Municipal Conflict of Interest Act*, the fee shall be refunded in part, up to 50%, based on the recommendation of the Integrity Commissioner.

7. Every complaint shall include the following:
 - a) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Code of Conduct or the *Municipal Conflict of Interest Act*.
 - b) Any witnesses in support of the allegation must be identified in the complaint.
 - c) The Integrity Commissioner may request additional information from the complainant prior to making an assessment.

8. The complaint shall be filed with the Clerk, who shall forward the matter 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 of a complaint and whether it is a complaint under this Code of Conduct, the *Municipal Conflict of Interest Act* or other policy.
9. 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.

Refusal to Conduct Investigation

10. 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.

Opportunities for Resolution

11. 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 to achieve an informal resolution at the discretion of the Integrity Commissioner.

Investigation

12. The Integrity Commissioner will proceed as follows, except where otherwise required by the Public Inquiries Act:
 - a) Provide the complaint and supporting material to the Member whose conduct is in question with a request that a written response to the allegation be provided within 10 business days.
 - b) Provide a copy of the response provided to the complainant with a request for a written reply within 10 business days.
 - c) 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.
 - d) 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.
 - e) The Integrity Commissioner shall retain all records related to the complaint and investigation.

Timing of Complaints in Relation to Municipal Elections

13. Complaints must be investigated and a report submitted to Council on or before Nomination Day in the year of a municipal election.

14. Investigations of complaints that are not completed as of Nomination Day in an election year shall be terminated on Nomination Day.
15. The complainant may re-commence the complaint within six (6) weeks of Voting Day by submitting a written request to the Integrity Commissioner, who shall, provided the request is received on or before six (6) weeks from Voting Day, recommence the investigation.
16. In addition, on or after Nomination Day in the year of a municipal election:
 - a) no complaint shall be filed;
 - b) the Integrity Commissioner shall not report to the Town about an ongoing investigation; and
 - c) the Town shall not consider whether to impose any penalty on a Member subsequent to an investigation.

Complaints Under the Municipal Conflict of Interest Act

17. After March 1, 2019, an elector as defined in section 1 of the *Municipal Conflict of Interest Act*, or a person demonstrably acting in the public interest, may submit a request to the Integrity Commissioner to conduct an investigation concerning an alleged contravention of section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* by filing with the Clerk a completed and signed complaint form and paying the prescribed fee of \$ 150.00.
18. No request may be submitted more than six (6) weeks after the complainant became aware of the alleged contravention.
19. A request for an investigation in an election year may only be submitted prior to Nomination Day or after Voting Day.
20. 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 apply to the Integrity Commissioner 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.
21. The Integrity Commissioner has all the powers set out in the *Municipal Act* when undertaking an investigation under this section and shall follow the investigation process established in paragraph 12 above.
22. Where an investigation has not been completed before Nomination Day in an election year, the Integrity Commissioner shall terminate the investigation on that day.
23. An investigation terminated pursuant to paragraph 22 above 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.
24. The Integrity Commissioner shall complete the investigation within 180 days of receipt of the complaint, unless the investigation is terminated in accordance with paragraph 22 above.
25. 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.

Recommendation Report

26. The Integrity Commissioner shall report to the complainant and the Member generally no later than 90 days after the official receipt of the complaint (180 days in the case of a complainant under the *Municipal Conflict of Interest Act*). If the investigation process takes more than 90 (180) days, the Integrity Commissioner shall provide an interim report and must advise the parties of the date the report will be available.
27. After completing the investigation, the Integrity Commissioner shall prepare a report which shall make findings of fact and conclusions as to whether a breach of this Code of Conduct or the *Municipal Conflict of Interest Act* occurred, as the case may be, make recommendations to Council, and in the case of a *Municipal Conflict of Interest Act* investigation, make a determination as to whether or not the matter will be referred to the court, and include written reasons for the decision.
28. The report of the Integrity Commissioner shall be published by posting the report on the Municipal website and making a copy available to all Members of Council and the Members of the Board or Committee, as applicable.

Member Not Blameworthy

29. If the Integrity Commissioner determines that there has been no contravention of this Code of Conduct or the *Municipal Conflict of Interest Act*, or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner may so state in the report and may make appropriate recommendations.
30. 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*.

Public Disclosure

31. 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.
32. The Integrity Commissioner shall retain all records related to the complaint and investigation.
33. At the time of the Integrity Commissioner's report to Council, the identity of the person who is the subject of the complaint shall not be treated as confidential information if the Integrity Commissioner finds that it is necessary to disclose that person's identity.

Schedule B

EMPLOYEE CODE OF CONDUCT

THE CORPORATION OF THE TOWN OF CARLETON PLACE

Code of Conduct for Employees – Purpose and Policy Statement

64. Employees of the Corporation of the Town of Carleton Place shall be committed to carrying out their duties in a manner that maintains and enhances public confidence and trust in the integrity, objectivity and impartiality of the Town. Trust and mutual respect are the cornerstones of a relationship between the public and municipal government. In serving the public interest, Employees are entrusted with access to a wide range of information, resources and responsibilities, and shall operate with a sense of honesty and accountability.

Application

65. This Employee Code of Conduct (the “Code”) applies to all Employees, including full-time, part-time, permanent and temporary employees, as well as volunteers, students, and interns (collectively referred to as “Employees”).

Definitions

66. In this Code, the following terms have the meanings set out below:

- o) “**Chief Administrative Officer**” includes Clerk-Administrator or such other Employee who is responsible for exercising general control or management of the administration and affairs of the Town and other duties as directed by Council.
- p) “**Child**” includes a child born within or outside of marriage and includes an adopted child, and a person to whom the Employee has demonstrated a settled intention to treat as a child of his or her family.
- q) “**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, 2001*.
- r) “**Confidential Information**” includes information in the possession of, or received in confidence by the Town, that the Town is prohibited from disclosing, that the Town is required to refuse to disclose, or that the Town chooses not to disclose, under the Municipal Freedom of Information and Protection of Privacy Act, 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 Meetings, information that is marked as “confidential”, information obtained by the Employee by virtue of their employment with the Town 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.
- s) “**Conflict of Interest**” means seeking to advance a Personal Interest, whether or not it is detrimental to the Municipality.
- t) “**Council**” means the Council of the Corporation of the Town of Carleton Place.
- u) “**Family Member**” includes:
 - viii. A Spouse of the Employee;

- ix. A Child of the Employee;
 - x. A Parent of the Employee;
 - xi. A Sibling of the Employee, whether by birth, marriage or adoption;
 - xii. A Grandchild, grandparent, aunt, uncle, niece or nephew of the Employee;
 - xiii. A Parent-in-law of the Employee; and
 - xiv. Any person who lives with the Employee on a permanent basis.
- v) **“Gift”** means any cash or monetary equivalent, commission, fee, object of value, service, personal benefit, travel and accommodation or entertainment. A gift does not include remuneration.
- w) **“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*, 1990.
- x) **“Member”** includes an elected member of the Municipal Council and all members of Boards and Committees of the Municipality;
- y) **“Municipality”** means the Corporation of the Town of Carleton Place .
- z) **“Parent”** includes those persons who demonstrated a settled intention to treat as a child the Employee, whether or not the Employee is their natural child.
- aa) **“Personal Interest”** means:
- i. a financial interest of an Employee or the financial interest of a Family Member of an Employee;
 - ii. a financial interest of a friend or colleague of the Employee;
 - iii. any benefit or advantage to the Employee, the Employee’s Family Member, friend or colleague.
- bb) **“Spouse”** means a person to whom the Employee is married or with whom the Employee is living in a conjugal relationship outside of marriage.
- cc) **“Supervisor”** means a person who directly oversees an Employee’s work and provides direction and clarification of duties when needed.

General Responsibilities

67. Employees have a duty and responsibility to treat members of the public, members of Council and each other in a respectful manner, without abuse, bullying, Harassment or intimidation.
68. Employees shall adhere to the standards outlined in this Code, and shall seek clarification from their Supervisor if unsure about any responsibilities or information contained in this Code.
69. If an Employee feels he or she may violate or already has violated this Code, he or she shall follow the disclosure and compliance requirements set out in sections 37 to 39 of this Code (the “Disclosure and Compliance Requirements”).
70. Employees shall consult with their Supervisor for guidance if they suspect a potential breach by another Employee of this Code.
71. Employees shall review and sign this Code annually.

72. Employees shall follow the Disclosure and Compliance Requirements.

Confidentiality

73. Employees shall hold in strict confidence all Confidential Information acquired as a direct or indirect result of their employment with the Town.

74. Confidential Information shall not be disclosed except when required by law and the policies and procedures of the Town.

75. Particular care must be exercised before releasing information relating to the following matters:

- a) items under litigation;
- b) personnel matters;
- c) information which infringes on the right of privacy of others;
- d) sources of complaints about a variety of matters where the identity of the complainant is given in confidence;
- e) information supplied to obtain various municipal approvals where such information is not part of the public documentation; and
- f) schedule of prices in quotations or tenders for the supply of goods and/or services.

Please note that these items do not constitute an exhaustive list and have been included for emphasis.

76. Employees shall safeguard and protect Confidential Information of the Town and of others to which the Employee becomes privy as a result of their employment with the Town. Where an Employee is unsure of the status of information requested for release by a member of the public, he or she shall consult with their Supervisor and/or the Chief Administrative Officer prior to releasing such information.

77. Employees are strictly forbidden from using any information available only to Employees to attempt to secure financial gain from any investment in real estate or other business dealings, whether by direct means or indirectly through others.

78. The obligation to keep information confidential applies even if the Employee ceases employment with the Municipality.

Conflict of Interest

79. No Employee shall participate in any decision, project or process where they have a Conflict of Interest in such matter. Employees shall avoid Conflicts of Interest and comply with the Disclosure and Compliance Requirements where such Conflicts of Interest occur.

80. A Conflict of Interest may be real or apparent in nature:

- a) A "real" Conflict of Interest exists where a Personal Interest exists and that interest is:
 - i. known to the Employee; and
 - ii. has a connection to the Employee's duties that is sufficient to influence the exercise of those duties.

- b) An “apparent” Conflict of Interest exists where an informed and reasonable person, upon reviewing and thinking the matter through, could conclude that a Personal Interest exists, and that the Personal Interest is sufficiently connected to the Employee’s duties that it could reasonably influence the exercise of their duties.
81. Employees must perform their duties impartially, such that an objective, reasonable observer would conclude that the Employee is exercising their duties objectively, without undue influence and in a manner that does not create a Conflict of Interest. Employees shall govern their actions using the following as a guide:
- a) in making decisions, always place the interests of the taxpayers and the Town first and, in particular, place those interests before your Personal Interests and the interests of friends, business colleagues and Family Members;
 - b) interpret the phrase "conflict of interest" broadly and with the objective of exercising your duties impartially and objectively;
 - c) if there is doubt about whether or not a Conflict of Interest exists, seek the advice of your Supervisor;
 - d) do not make decisions or attempt to influence a decision that creates an obligation to any other person or business that will benefit from the decision;
 - e) do not make decisions or attempt to influence any other person for the purpose of benefitting yourself, friends, business colleagues or Family Members, or any organization that might directly or indirectly benefit such individuals;
 - f) do not put yourself in a position where a decision you make or your actions would give preferential treatment to friends, business colleagues or Family Members, or any organization that might directly or indirectly benefit such individuals;
 - g) do not approve or attempt to influence the approval of any license, permit, contract, agreement or other document on behalf of the Town for your own personal use or benefit, or for the use of a Family Member, friend or colleague;
 - h) do not make any decision or participate in the process of hiring, transferring, promoting, demoting, disciplining or terminating any Family Member, or friend;
 - i) do not participate in any property matter involving your property or the property of any Family Member, friend, or colleague; and
 - j) do not promise or hold out the prospect of future advantage through your influence in return for a direct or indirect Personal Interest.

Interaction with Members of Council

82. Over the past number of years the Town has worked diligently at creating a positive working relationship between Members and Employees. To a large degree this has been successful due to a mutual respect for each other’s’ roles and responsibilities.
83. Employees shall not maliciously or falsely injure the professional or ethical reputation of Members.
84. Operational inquiries received from Members will be addressed by Employees as follows:
- a) Employees who are approached by Members regarding operational matters shall follow up on the inquiry with respect and professionalism, and provide feedback on the inquiry to their Supervisor or department head;
 - b) Employees shall follow up on inquiries from Members with the Chief Administrative Officer as needed.
85. Employees shall recognize and respect that Members are bound by the Council Code of Conduct and applicable legislation including the *Municipal Act* and the *Municipal Conflict of Interest Act*, and that their purpose is to act in the best interests of the Town and within the requirements of their positions as Members.

86. Employees who have concerns about operational issues shall:
- a) address the concerns with their Supervisor or department head; and
 - b) if they still have concerns about such issues after addressing them with their Supervisor and department head, shall address them with the Chief Administrative Officer and shall not address such issues with Members.

Use of Municipal Property

87. No Employee shall for personal purposes or profit, use or permit the use of any Municipal property, equipment, services, or supplies other than for purposes connected with the discharge of their employment duties unless the use is a reasonable and incidental personal use of equipment such as computers, fax machines, cell phones, blackberries, etc., where the Town incurs no additional costs relating to such use, and the use is of limited duration and frequency.
88. Municipal property and resources, including facilities, vehicles, equipment and materials, shall be used only in the performance of employment duties and shall not be used or converted for personal benefit or use.
89. Employees are responsible for exercising care to prevent the abuse, excessive wear of or loss of Municipal equipment and materials used by the Employee in the course of their Employment.
90. Computer system information and procedures and any other information regarding computerized systems are considered Municipal property and may not be shared with the public. Employees are prohibited from using such systems for their personal benefit.

Gifts, Hospitality and Other Benefits

91. Employees shall carry out their employment duties free from influence of Gifts.
92. Employees are prohibited from soliciting, accepting, offering or agreeing to accept any Gifts 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 their employment duties or could reasonably be construed as being given in anticipation of future, or recognition of past, special consideration by the Employee.
93. The above policy does not preclude Employees from accepting:
- j) Token gifts, souvenirs, mementoes or hospitality of minimal or no value received in recognition for service, for speaking at an event, or for representing the Town at an event;
 - k) Food and beverages at meetings, banquets, receptions, ceremonies or similar events;
 - l) Food, lodging, transportation, entertainment provided by other levels of governments, by other local governments or by local government boards or commissions;
 - m) Reimbursement of reasonable expenses incurred in the performance of their employment duties; or
 - n) Gifts of a nominal value that are received as an incident of protocol or social obligation.

94. Where it is not possible to decline unauthorized Gifts, hospitality or other benefit, Employees shall report the matter to the Chief Administrative Officer. The Gift shall become the property of the Town and the Chief Administrative Officer may require that the Gift be retained by the Town or be disposed of for charitable purposes in the Chief Administrative Officer's sole discretion.

Communications and Media Relations

95. Only the Chief Administrative Official or his or her designate shall comment to the media on matters concerning staff operations, actions and functions of the Municipality.
96. Employees, when communicating with the public and media, will accurately and adequately communicate the attitudes and decisions of the Council, Board or Committee, even if an Employee disagrees with a majority decision, so that there is respect for and integrity in the decision making process.
97. It is not the intent of this Code to restrict the ability of an Employee to express a personal opinion on matters of general interest. In such cases, the Employee must make it clear that the comment is being made in their capacity as a private citizen, and not as a representative of the Municipality. At no time shall an Employee express a position that is disrespectful of the decision of the majority of Council, a Board or a Committee.
98. Posting or commenting on social media about the Town either directly or indirectly, constitutes communication with the public that is governed by this Code.
99. If Council has taken a position in a Local Planning Appeals Tribunal, or other tribunal or court, and instructed the Municipal Solicitor to appear at a hearing in support of such position, no Employee who disagrees with such position shall give evidence at such hearing or otherwise work against the will of Council expressed in its direction to the Municipal Solicitor in such matter.

Disclosure, Investigation and Compliance

100. If an Employee suspects he or she has or may violate this Code, he or she shall immediately complete a "Confidential Employee Code of Conduct Disclosure Form", attached in Schedule "A" to this Code, and submit it to their Supervisor.
101. Upon receipt of the disclosure form, the Supervisor shall investigate and make a determination which shall be set out in the "Determination Regarding Confidential Employee Code of Conduct Disclosure" form attached as Schedule "B" to this Code, a copy of which shall be provided to the Employee and the Chief Administrative Officer.
102. Employees shall comply with their Supervisor's decision and any conditions of that decision.

Employee Name ID (please print)

Date

Employee Signature

**TOWN OF CARLETON PLACE
DETERMINATION REGARDING
CONFIDENTIAL EMPLOYEE CODE OF CONDUCT DISCLOSURE**

This form is intended to be used by the Employee's Supervisor in response to a disclosure made by an Employee using the Schedule "A" Confidential Employee Code of Conduct Disclosure Form.

Date Confidential Employee Code of Conduct Form Submitted: _____

Submitted by: _____ [name of Employee and Employee ID]

Regarding: _____

[describe disclosure and date of disclosure]

I, _____ (**print full name and title**) have considered the particulars of the situation described in the Schedule "A" disclosure form and have consulted with Human Resources and the Chief Administrative Officer. I have made the following determinations:

1. I find that that the Employee's disclosure presents a violation or potential violation of the Employee Code of Conduct

_____ **YES** _____ **NO**

2. I recommend that the Employee Code of Conduct violation should be:

_____ **Allowed to continue**
_____ **Cease from continuing**

3. Where I recommend that the Employee Code of Conduct violation be allowed to continue, the Employee must follow the below-noted conditions in order to manage the situation appropriately (attach additional pages if necessary):

4. Where I recommend that the Code of Conduct violation cease from continuing, the Employee must (attach additional pages if necessary):

Date

Signature

CONSENT AGENDA

Policy Review Committee - September 11, 2018

1. **Communication 129308**

THAT a revised subdivision agreement be entered into with respect to modifications to securities for the Miller's Crossing Subdivision; and

THAT any outstanding securities for Phase 3 be paid by Cardel Homes prior to the registration of the lifting of the 1 foot reserves.

2. **Communication 129285**

THAT Council provide direction to staff to prepare a revised Procedural By-law based on a Committee of the Whole system; and

THAT the Committee of the Whole system commence with the new term of Council; and
THAT the Striking Committee Report be amended to remove any procedural By-law type elements.

3. **Communication 129309**

THAT Council approve the Council Code of Conduct, Employee Code of Conduct, and Council Staff Relations Policy; and

THAT the Clerk be authorized to prepare the necessary By-law.

Community Issues Committee – September 18, 2018

4. **Communication 129315**

THAT the following minutes be received:

- Carleton Place Environmental Advisory Committee Minutes of September 10, 2018, be received.

5. **Communication 129316**

THAT the Committee receives the Manager of Recreation and Culture Report on the highlights of the September 12, 2018 Parks and Recreation meeting as information.

THAT Council receive the 2018 Community Marketing Strategy prepared by Cat's Cove Communications.

6. **Communication 129318**

THAT Council support the new proposed location of Carleton Junction for the community oven project; and

THAT Staff request permission from the County of Lanark to include the community oven on the Carleton Junction site in accordance with the provisions of the Town's lease of the lands.

7. **Communication 129319**

THAT Council support the new proposed location of Carleton Junction for the community oven project; and

THAT Staff request permission from the County of Lanark to include the community oven on the Carleton Junction site in accordance with the provisions of the Town's lease of the lands.

Planning and Protection Committee – September 18, 2018

8. Communication 129322

THAT Council receive both the preliminary and supplemental reports from the Manager of Development Services and the Chief Building Official on the topic of Tiny Homes dates September 4 and September 18, 2018 as information; and

THAT Staff work with other Municipal Planners and Chief Building Officials to continue to explore how tiny homes can be accommodated in areas through the County from planning policy, Ontario Building Code and logistical perspectives; and

THAT in the interim, any applications received be reviewed on an as required and site-specific basis.

9. Communication 129323

THAT the September 18, 2018 Report by the Manager of Development Services regarding a revised subdivision and parking plan for Phase 1 of the Nu Globe Subdivision be received for information and input.

BY-LAW NO. 104-2018

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE ONE HUNDRED AND TWENTY NINTH COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE AT THE FIFTEENTH REGULAR MEETING OF COUNCIL OF SEPTEMBER 25, 2018

AND WHEREAS Section 5 of the Municipal Act, S.O. 2001, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS it is deemed expedient that the proceeding of the Council of the Corporation of the Town of Carleton Place at this meeting be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. **THAT** the action of the 129TH Council of the Corporation of the Town of Carleton Place at the FIFTEENTH Regular Meeting of Council held on September 25, 2018, in respect of each motion and resolution passed, and other action taken by the Council of the Corporation of the Town of Carleton Place at its meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-law.
2. **THAT** the Mayor and proper officials of the Corporation of the Town of Carleton Place are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Town of Carleton Place referred to in the preceding section thereof.
3. **THAT** the Mayor and Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of the Town of Carleton Place.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 25th DAY OF SEPTEMBER 2018.

Louis Antonakos, Mayor

Stacey Blair, Deputy Clerk